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REPORT

ON

CANADIAN ARCHIVES

BY

DOUGLAS BRYMNER, Archivist

1892

(Being an Appendix to Report of the Minister of Agriculture.)

OTTAWA:
PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.
1893

[—1893.] *Price 30 cents.*

237000

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REPORT ON CANADIAN ARCHIVES.

DOUGLAS BRYMNER, LL.D., F.R.S.C., ARCHIVIST.

Honourable A. R. Angers,
Minister of Agriculture,
&c., &c., &c.

Sir,—I have the honour to present the report on Archives for 1892.

Since the last report there have been received and are now on the shelves, transcripts of the State Papers for Lower Canada to 1825, a continuation of the administration of Monk and in addition those of Maitland, as acting Governors, Lord Dalhousie as Governor-in-chief, Burton as President of the Council and the resumption of office by Lord Dalhousie in September, 1825. The papers during that period deal with matters of great interest; the proposed Union in 1822 of the two Provinces, with the arguments for and against the proposal, which it is well known did not take effect till twenty years later, the report on grievances, the questions between Upper and Lower Canada respecting the revenue and other subjects held at the time to be of vital importance. The last volume received for Lower Canada, shelf marked Q. 173, contains correspondence from the various public offices. Work is now in progress on the subsequent volumes, those to 1830 being nearly completed, as appears by the monthly reports transmitted by the Honourable the High Commissioner. For Upper Canada, transcripts have been received to 1829, covering the period of Sir Peregrine Maitland's administration and the beginning of that of Sir John Colborne, and work is now well advanced on subsequent volumes, which include the correspondence, accounts, diagrams, &c., of the Upper Canada Company, from the date of its establishment in 1825.

From the frequent inquiries respecting the instructions to the Governors, which were nowhere to be found in a collected form, directions were given to have an exhaustive search made and special orders were issued as to the arrangement and method of copying, so as to have the complete set of instructions, unencumbered with repetitions, where the instructions to one Governor were simply duplicated, with the necessary change of name, &c. The instructions were scattered through various sets of papers in the Colonial Office, but they have now been brought together, arranged chronologically, those noted only, not copied, which contained no change, variations given where these were found, and only such instructions subsequent to the first copied, where such a course seemed to be necessary. The instructions, from 1763 to 1867, are now bound in four volumes, being one each for the Province of Quebec, for Lower Canada, for Upper Canada and for the Province of Canada, after the Union of the two Provinces had been effected. A similar course has been followed with the Governors' Commissions, which were found among the Chancery Patents in the Legal Search Room of the Public Record office, each commission forming part

of a parchment roll. They have been bound in one volume and, like the instructions, extend from 1763 to 1867, the date of Confederation, so that the commissions and instructions are at once accessible.

The minutes of the Executive Council are of great importance, but only a few are to be found scattered amongst the ordinary State Papers. These minutes form part of the Board of Trade Papers. Three volumes from 1764 to 1766, have been received and work is now well advanced on the others, so that investigators, when these latter have been received, will have at command a complete view of the decisions and publicly stated motives of the governing body during the period in which it existed.

A reference to the list of documents and books presented during the year will show the extent of the interest taken in the work. Among the manuscripts presented is an important collection of the correspondence of Mr. A. W. Cochrane, one of Sir George Prevost's secretaries in Nova Scotia, for which we are indebted to the thoughtfulness and consideration of the Honourable Senator Almon; Captain Bagot, grandson of Sir Charles Bagot, Governor of Canada from 1842, has sent an exceptionally valuable collection of original manuscripts, letter-books and other documents throwing light upon the events occurring during Sir Charles Bagot's administration. We are also indebted to Dr. Herbert Nelson for some interesting documents from the collection of papers in his possession.

The reports on settlements and surveys are continued in this report on the same principle as those previously given. The names of applicants and grantees being in alphabetical order, and the pages given in the calendar of each volume in which they are contained, the descendants of the original settlers need have no difficulty in obtaining all the information furnished in the reports. Much of that is, however, very meagre, although, even so, it may be found useful in tracing the descent of families making inquiries. The lists given in Note A, are those of applicants for lands before the Province of Quebec was divided and are in continuation of those in the report for 1891.

As in that report, the documents calendared cover the same period in each Province. It is, in fact, impossible to separate them without detriment to the accuracy so necessary in reports of this nature, as although certain local subjects are distinct, the general interests are so closely connected, especially in relation to Imperial concerns and to foreign governments, that this course must of necessity be followed to the date of the reunion of the Provinces, when the documents form part of one general collection, and must be treated as such when permission is obtained from the Imperial authorities to have transcripts made of the documents subsequent to 1842, to which date permission has been given to have copies made. The observations on the documents calendared or published in full in this report will, therefore, be treated as a whole, where that is required by their nature, those of a local character being treated separately.

In Lower Canada events have been brought down to the period of the arrival of Sir Robert Shore Milnes, Lieutenant-Governor, administering during the absence of General Prescott, the Governor-in-chief.

One of Sir Robert's first efforts appears to have been directed towards the increase of the revenues from the properties of the Crown, these having been granted in aid of the civil expenditure of the Province. In this view, therefore, it seems desirable to give details of the transactions with regard to these properties as affect-

ing the finances, which in the frequent cases of deficits were supplemented by the British Government on requisition from the Governors or administrators. The conjoined rents of the St. Maurice Forges and of the King's Wharf did not exceed £20 a year on Sir Robert's arrival, but he was able to report in one of his early letters, that instead of that trifling sum, he had succeeded in raising the amount to upwards of £1,400 sterling, and that he hoped to increase the rental of the King's Posts from £400 to between £2,000 and £3,000. In regard to the King's Wharf it was determined to retain part of it for military purposes, and for the erection of a Custom-house, which the increase of trade appeared to render necessary, and instead of letting either the Wharf or the Forges by private arrangement, these and all other properties should be disposed of by public competition. The possession of the St. Maurice Forges was an object of keen rivalry between the then lessees (Messrs Monro and Bell) and the Batiscan Iron Co., each offering to give a higher rent than any that might be offered by the other company. The lessees offered an annual rent of £550 and the expenditure of £1,500 on improvements; the Bastican Iron Co. offered £800, without an obligation to expend any sum for improvements. This offer was communicated to Monro and Bell, with the notice that a fixed rent must be named, without any proposal for ameliorations, the final offer to be submitted not later than the 22nd of May, that is ten days after the date of the letter, with sufficient security. The Batiscan Company declined to make any advance on their offer of £800 and Monro & Bell, having offered £50 more than the highest rent proposed to be paid by their competitors, were adjudged the lease at £850 annual rent for five years. When the lease was about to expire, Thomas Dunn, the acting Governor, Sir Robert Milnes being absent on leave, found himself in an awkward position, as he had purchased for his sons shares in the Bastiscan Company, and fearing that whatever course he took, either to guard the revenue or to sign a lease for an insufficient amount, he would be censured, tried to throw the onus on the Executive Council, but recommended the postponement of the sale until after the arrival of the Governor or Lieutenant-Governor. In the report of the Committee of Council, reference was made to a previous report made on the 1st of May, 1805, in which two points were mentioned likely to affect the disposal of the lease, the principal being the apprehended scarcity of ore and of wood for smelting, the other being the condition that the new lessees should pay their predecessors for the moveable property on hand, to the amount of £4,000, or such other sum as might be determined by arbitration. On the other hand, the value of the property was to be largely augmented by additions to the lands included in the lease. It was further recommended that the term of the existing lease should be extended to the 1st of April, the rent (£850) remaining the same, an extension at once agreed to by Messrs Monro & Bell, who, it is stated, were willing, even anxious, to continue lessees indefinitely on the same terms. The Council further reported that the term should be extended to twenty years and that the lease should be publicly disposed of in June, 1806, (the 11th of that month being subsequently fixed upon). The recommendation by Dunn for an indefinite postponement was not agreed to, but a short delay took place on the ground that the surveys were not in such a state of readiness as to admit of the sale on the date first fixed on. On the 1st of October the sale actually took place, the lease being adjudged, after three previous bids, for £60 instead of the then existing rent of £850, Monro & Bell being the successful bidders. In communicating the result to the Colonial

Office, in a letter dated 5th November, 1806, Dunn says: "The sale.....took " place on the 1st instant, * when two bidders only appearing besides Messrs. Monro " & Bell, the former lessees, it was knocked down to the latter at sixty pounds cur- " rency per annum. Although I exceedingly lament the loss which the Provincial " revenue will sustain by granting the lease upon terms so very disproportionate to " its actual value, I should not feel myself justified in withholding it after so fair and " public a sale. I have, therefore, directed the Attorney-General to prepare the " draft of the lease accordingly, which I trust will be honoured with your approba- " tion." (Q. 100, p. 398). The answer by Mr. Windham, then Colonial Secretary, contained only a mild expression of regret at the result. The want of precaution at the sale had not, however, passed without remark. Mr. Allcock, the Chief Justice, had recommended Mr. President Dunn to have the upset price fixed at £850, and that no adjudication should be made without three bids of £25 each, but the President refused to insert such conditions. The Chief Justice adds: "This has occasioned a " good deal of murmuring and dissatisfaction throughout the town and in short " throughout the Province, because these rents had been given up by His Majesty, " for the use of the Colony and to go in aid of the Civil Government." (Q. 101-2, p. 425). However, he said, the lease was not yet signed and he would take care that the terms of the sale should be rigidly scrutinized. Lord Castlereagh, who succeeded Mr. Windham, took a much more serious view of the matter than his predecessor. In the despatch dated 4th July, 1807, His Lordship says: "With regard " to the appointment of Mr. Fargue, your stepson, to succeed Mr. Lees, as Store- " keeper in the Indian Department, I think it my duty to withhold the communicat- " ing to you any approbation of this nomination, till I shall receive a more satisfac- " tory account with regard to the letting by auction the Government Forges. It " must be evident that works which had let on lease for £850 a year, and which the " lessee offered to hold on annually at the same sum, could not have been suffered to " be disposed of for £60 a year, if due attention had been paid to His Majesty's " interests, and such a lease must be considered as unduly obtained and therefore " void. And this circumstance is the more surprising as I am well informed " that a rent of £1,500 a year might have been easily obtained and that " offers were in agitation amounting to £2,000 a year." (Q. 102, p. 256). The reports and correspondence on the subject are voluminous. On the side of Messrs. Monro & Bell, these gentlemen maintained, that there never had been a fairer sale, and argued, by implication at least, that although from circumstances they had agreed to pay a rent of £850, yet that the reduced rent of £60 a year was the real value, the notices of the sale having, as is shown by the report of the Committee of Council, been advertised not only in the Provincial but also in papers in Great Britain and the United States. In discussing the subject, Messrs. Monro & Bell say: " It must be recollected that to embark in a Manufacture of " which one is wholly ignorant, to pay down under the conditions of sale to the old " Lessees the Sum of £400 besides the value of the ore drawn and prepared for the " Consumption of the ensuing year, the vast Sum to be immediately expended in " necessary repairs, &c., require more enterprise and capital than is commonly to " be found in Canada, and We doubt much, if His Majesty's Ministers were to wish " it, and that his Courts of Justice could set aside the sale, under the indemnifications which it is not denied we should be entitled to, that any individual or set of indi-

* An error, the sale took place on the 1st October.

"viduals will be found in Canada capable of reimbursing to His Majesty that Indem-"nification, paying in the £4,000 besides the Cost of ore which by the Conditions "of the old Lease the new Lessees must pay upon getting into possession, of imme-"diately laying out the large sum of Money necessary for the future Maintenance of "the Works, and who would at the same time be willing to give even the appar-"ently small sum, as it is stated, of £60 per annum."

The statement in Lord Castlereagh's letter that £1,500 or even £2,000 a year might have been obtained for the lease, instead of the £60 actually offered, Mr. Dunn meets by a detailed account of the position and circumstances of the men who had been preparing to make such a proposition. By this statement it is made to appear that the prime mover in trying to get possession of the forges, did so "with no better views than those of a common swindler," and had secured the co-operation of men of no means, some of them respectable, but others of doubtful reputation. "Most fortunately," says Mr. Dunn, "they disagreed among themselves before the "Sale of the Lease actually took place and their project fell to the ground." There were no other men of capital in the Province, besides Monro & Bell, inclined to take up these works, and he could say from dear-bought experience, that the Batiscan Company was in no position to do so.

The importance of the increase obtained by Sir Robert Milnes, and on which he relied as one means of reducing the amount necessary to be drawn from the Imperial Government, may be estimated by the statement contained in his letter of the 1st November, 1800 (Note B, p. 14), which shows that the whole amount received at that date from the Territorial Revenues of the Crown was only £1,500, the total amount from all sources £13,199 19s. 1d. and the expenditure £25,000, showing a deficiency of almost precisely £12,000.

At Note B, is a dispatch by Sir Robert Milnes, describing the state of Lower Canada in 1800, which being printed in full need only be referred to. In the answer by the Duke of Portland, dated 6th January, 1801, (Q. 86–1, p. 3), His Grace enumerates the causes of the popular influence in Lower Canada mentioned by Milnes, and expresses the belief that no remedy can be found for the insignificant influence, in a political and social point of view, of the seigniors, except by the exertions, abilities and ambitions of the individual seigniors to emerge from that condition, aided by motives for exertion, and the holding out of all possible encouragement to those in whom suitable dispositions to take advantage of the possibilities thus afforded were to be found. In this view, therefore, His Grace was surprised that the establishment of the Canadian battalion in Lower Canada had met with no better success, its principal object having been to draw the Canadian gentlemen from their indolent and inactive habits and to attach them to the King's service. It was the intention, had any eagerness been shown to complete the first, to have formed a second and third of the same sort. Defects in the organisation of the militia are also pointed out and the remedies, but these appear to be sufficiently indicated in the calendar of the letter at Q. 86–1, p. 3.

To add to the difficulties of the position in which Milnes was placed was the opposition, according to his dispatch of the 26th of March, 1801, (Q. 86–1, p. 142) of Chief Justice Osgoode, who is charged with having laid aside all decorum and of having made use of disrespectful language towards the Lieutenant-Governor in a

large private party and of having publicly violently opposed measures which he knew had received his (Milnes') decided approbation. The causes of this conduct on the part of the Chief Justice are attributed to the refusal by Sir Robert Milnes to dismiss Judge de Bonne from his seat on the Bench and to his disappointment at not being allowed to act as sole adviser and proposer of every government measure. Whoever was at fault, and the misunderstanding between the two highest officials continued till the retirement of Osgoode in 1802, the effect on the government of the Province could not be otherwise than prejudicial. The division of power between the civil and military authorities was regarded as of great disadvantage, and attention was called frequently by residents and others to the benefit that would arise to the administration of affairs were the old policy reverted to of placing the military and civil government in the hands of a Commander-in-chief. In a letter, dated the 28th July, 1806, signed "Mercator," which from a comparison of the handwriting I am inclined to attribute to Hon. John Young, a member of the Executive Council, this view is strongly urged on the attention of the Colonial Secretary, various reasons being adduced, one of these the jealousy that must and, as a matter of fact, did exist between the military and civil heads of the respective offices; the exact words of the letter respecting the other reasons it would appear proper to give in full. "The energy of the Government is not only weakened and rendered less "respectable by this unnecessary separation, but the Civil Governor is destitute of "the means of maintaining that Stile and Hospitality in which his predecessors "lived, and which, in this country, is an essential requisite to attract and to secure "Respect.

"The Canadians, a military people and always accustomed to a military govern- "ment, hold not in sufficient estimation a person placed at the head of affairs, who "does not at the same time command the troops, and a great relaxation has, of late "years, been permitted to take place amongst them. Paying no taxes, except upon "articles of consumption, they are scarcely sensible of the weight of any government, "in the present circumstances of the colony." The disputes between the Administrator and the military authorities on the death of General Hunter afford ample proof of the statement that jealousies existed, and this is confirmed by a letter from Milnes of 22nd July, 1807 (Q. 106–2, p. 425.)

On the sailing of Milnes, on leave of absence, Thomas Dunn, as President of the Council, became Administrator, but his government was not satisfactory to some, at least, of his fellow councillors. Chief Justice Allcock between whom and Milnes a good understanding did not appear to exist, following in this respect the steps of his immediate predecessor, Chief Justice Osgoode, criticised very severely the personal peculiarities of Mr. Dunn, and his want of the qualities necessary in the important situation he held (Q. 106–2, p. 386). Prescott, still the nominal Governor-in-chief and who during his active tenure of office was also commander of the Forces, sailed on the 29th of July, 1799, and was succeeded in his civil office by Sir Robert Shore Milnes, and in his military capacity by General Hunter, who arrived a few days before Prescott sailed and on the 16th August reached York (Toronto) to assume the government of that Province. The divided duties of General Hunter led to difficulties in carrying on the administration of Upper Canada, and to a difference of opinion between him and Milnes in respect to payments from the military chest and to other subjects which partook of a partly political or civil and partly military character. Hunter died on the 21st of August, 1805, the military command being

assumed temporarily by Lieutenant-Colonel Bowes and afterwards by Lieutenant-Colonel Isaac Brock, between both of whom and Mr. President Dunn, there arose the same class of disputes as with General Hunter, respecting the expenditure of military funds for civil purposes. Acting apparently on the urgent representations made as to the evils arising from a divided command, the Colonial Secretary, Lord Castlereagh, informed General Prescott on the 10th of August, 1807, that the existing state of affairs rendered "it absolutely necessary that a different arrangement should "be made in respect to the government of the North American Provinces," and intimating that the King intended to send out an officer to succeed him (Prescott) in the Government. How tenderly were regarded the interests of Prescott, so far as the emoluments were concerned, in an office which so far as can be seen he had held as a sinecure for so many years, may be judged by the words announcing his supercession: "You will, I trust, feel in its true light the motives which at this "period have suggested this measure, and I lament that the imperious exigency of "circumstances should necessitate an arrangement which may interfere with your "arrangements."

The critical condition of affairs in the two Provinces that rendered this necessary is treated of in another part of this report in discussing the apprehended hostilities arising out of the desire of the French to regain possession of Canada and of the demands of the United States for the renunciation of the right of search hitherto exercised by Great Britain.

To judge by the current histories of Upper Canada, the knowledge of the domestic politics of that Province at the beginning of this century, appears to be very limited, only a few vague generalities being given. It has, therefore, been thought desirable to publish at some length the correspondence during the administration of President Grant and part of that of Lieutenant-Governor Gore. The leader of the opposition to government, appears to have been Mr. Justice Thorpe, who is referred to in laudatory terms in the histories of the Province. Without expressing any opinion as to the correctness or otherwise of this appreciation of his conduct, a reference to the correspondence in note D, will show the tone of his letters. The position of Mr. Thorpe as a hot political partisan and a judge of the highest court would not now be tolerated. At any time, however legal it might be, in the sense of not being contrary to any statute, it must have been prejudicial in its effect of undermining respect for judicial decisions, as however impartial the judge might be on the Bench, the public would regard his decisions as influenced, if not dictated, by his political tendencies. His attack on General Hunter, as having nearly ruined the Province by his rapaciousness and that he and his Scotch tools were execrated; that there were no roads, no post, no religion, no morals, no education, no trade, no agriculture, no industry attended to, was a prelude to his attacks on succeeding administrations, and in a postscript to the letter in which these words occur (note D, p. 39) he boasts that he had taken the reins of the Legislature, "though like Phaeton I seized them precipitately, I shall not burn myself and hope "to save others." In letter No. 8, of the same note D, p. 40, he repeats the charge, this time including President Grant, who had been selected for the office on the death of Hunter, although not without opposition from Mr. Peter Russell, who maintained that he was entitled to the position and in this claim was supported by Mr. Thorpe.

In 1802, Mr. Thorpe was appointed to be one of the judges in Prince Edward Island, to succeed Mr. Justice Cochrane, appointed a puisné judge in Upper Canada. He had not arrived on the island in January, 1803, when Mr. Cochrane wrote, and probably arrived in spring. He did not remain there long, and his removal seemed to be mutually satisfactory, to the islanders as well as to himself. Of the population he speaks in no favourable terms, owing, not improbably to their not paying sufficient deference to his pretensions, as may be gathered from the following passage in a letter to Mr. Cooke, the Under Secretary, dated at York, 1st October, 1805:—

"I never can be sufficiently thankful for your sending me from Prince Edward Island, the worst people in the world are there. I fear you will have more trouble than the Island can ever recompense you for. I wished to draw a bill to settle the boundaries of the townships, but it was impossible to please the various interests, and in truth they were such a set of miscreants, that what would be a satisfaction to others, would be calamity to them, and, determined to do no more, I blessed you for sending me away and departed."

At the date of the letter quoted, he could only have reached Upper Canada, for he had written to Mr. Cooke, on the 15th of the previous June from Newfoundland, applying for a seat on the Bench in Upper Canada, as successor to Allcock or Elmsley, but short as was the time that had elapsed since his arrival, he had no doubts or hesitation in giving his views on the state of affairs in the Province. "There is," he says, "no governor, no general, no bishop, no chief justice, the "Council have made a President," [Grant], but from a kind of cabal amongst them, "they have appointed a man that does not appear to be the eldest member and who "seems quite inefficient." How he regarded Lieutenant-Governor Gore may be seen from the correspondence in note D. In consequence of the determined opposition shown by Mr. Justice Thorpe, Lieutenant-Governor Gore believed it to be his duty to suspend him from his judicial functions, a step approved by Lord Castlereagh, who however, desired Gore to intimate to Mr. Thorpe that His Lordship hoped to be enabled to recommend him to some other professional situation, "under an "assurance that he will confine himself to the duty of his profession."

Previous to the confirmation of his suspension, a report had reached Quebec that he was to be transferred to the King's Bench there, on which Chief Justice Allcock thought it his duty to give his opinion to Lord Castlereagh. As the opinion of a brother judge, the passage relating to Mr. Thorpe is given in full. The Chief Justice says:

"A report prevails here (from what authority I have not the least knowledge) that Mr. Justice Thorpe is to be removed from Upper Canada to a seat in the King's Bench here. Although I did not much credit that report, I think it necessary I should inform Your Lordship, that I fear such an appointment would have the worst possible effect in this place. I have sufficient knowledge of Mr. Thorpe's conduct in the Upper Province to enable me to say that but for Lieutenant-Governor Gore's wise and decided measures, His Majesty's Government there would have had difficulties before this time to encounter of a most unpleasant nature, the whole of which I impute to Mr. Thorpe. If he was to come here and disseminate the same principles he has there, he would soon raise a faction that would annoy and distress the King's Government excessively."

The correspondence and extracts will furnish evidence of the state of politics in Upper Canada at that date and afford an opportunity to form a dispassionate opinion of the conduct of the Lieutenant-Governor on the one side and of Mr. Thorpe and his leading associates on the other. For the suspension of Mr. Thorpe was not the

only active step taken to put a stop to the opposition. Other officials were also suspended. Mr. Willcocks, the Sheriff, for seditious utterances, Mr. Wyatt, the Surveyor-General, on other charges, although it seems not unreasonable to suppose that the real ground for his suspension, practically dismissal, was his adherence to Thorpe and the others. It may be stated with respect to Wyatt, that being aware his name was Charles Perkin, I had doubts as to the correctness of his signature C. B. as given in the transcripts, believing at first that this was an incorrect copy. But a comparison of a large number of his signatures shews that he always signed in this way, copies made at the time of correspondence from his office and letters addressed to him bear the same initials. Wyatt remonstrated in vain against his removal, but without effect, and in 1816, after Gore's return, he sued the ex-Lieutenant-Governor for libel. The report bears that Charles Perkin Wyatt sued Francis Gore for the publication of a false and malicious libel and for having suspended him from his office as Surveyor-General of the Crown Lands in Upper Canada, so that no doubt can exist of the identity of the plaintiff with the person who signs C. B. Wyatt. (See Annual Register, volume lviii, p. 294 of Chronicle.) By the report of the proceedings it will be seen that he obtained damages to the amount of £300, not for acts of Gore as Lieutenant-Governor of Upper Canada, but for a libel contained in a pamphlet published in London. Willcocks, the dismissed sheriff, joined the invading forces from the United States in the war of 1812, and made use of his local knowledge to assist the enemy; John Mills Jackson wrote a volume, inveighing against the Government of Upper Canada, which was immediately answered by a pamphlet written in equally severe terms, signed "An American Loyalist." Both of these are among the Archives, the original among the printed books, under the title "Jackson" in the catalogue, the answer among the pamphlets with the same title as a cross reference.

The right of the Governor of Upper Canada to expend the revenues of the Province without a previous legislative appropriation was firmly opposed by the Assembly. An address on the subject may be referred to in note D, p. 33 of this report. In the letter transmitting this address (Note D, p. 32), Mr. President Grant, acknowleges the justice of the demand made by the Assembly, although he thought the language intemperate, the fault, as he considered it, not arising from hostility to the acts of Government, but from a want of knowledge of the proper manner of calling attention to the subject. A schedule of the money "misapplied" was attached to the address, but it would seem from what followed that the expenditure was not so much a misapplication as a breach of the privileges of the House. The address asked that this sum (£617.13.7) should not only be replaced in the Provincial Treasury, but that the President should direct that no money should be issued from it in future "without the assent of Parliament, or a vote of the Commons House of Assembly." This course, it is evident, was thought by President Grant to be only reasonable and that the sums mentioned in the schedule should be withdrawn as charges against the taxes and duties imposed by Provincial authority, believing that the Legislature would itself appropriate the necessary amount. (The text of the letter is in Note D, pp. 32–33). To the address a conciliatory answer was returned (p. 35, the proposed answer at p. 37). Apparently the charge of inefficiency brought by Mr. Justice Thorpe against Grant as administrator was justified, as it is fully corroborated by Lieutenant-Governor Gore in his despatch to Mr. Windham, at the close of the first session of the Legislature after he

had taken office. Lieutenant-Governor Gore says in his official report :—" After " the violent and turbulent conduct of the House of Assembly, during the adminis- " tration of Mr. President Grant, it affords me the highest satisfaction to inform you, " that the session has passed over without any attempt of the House of Assembly to " interfere with the measures, or to embarrass the Executive Government." This was no doubt due, in part at least, to the judicious conduct of Gore in replacing, though still without instructions on the subject, the sum applied to public purposes by the late General Hunter, without the concurrence of the other branches of the Legislature. The House was satisfied and by resolution withdrew its claim to that sum, but established the right to grant or refuse supplies, thus asserting and maintaining the great constitutional safeguard against the encroachments of the Crown on the rights of the people. Gore adds that the resolution passed without dissent, except from Mr. Justice Thorpe, " who has uniformly opposed every measure that could " promote the peace, or strengthen the hands of this Government." How long an able administrator could have prevented the assertion of such a principle, it is difficult to conjecture, nor is it now of much practical importance. The power of the purse in England as an attribute of Parliament was recognized at a very early period. In the time of Edward III. (1340-5), it was only maintained after a protracted struggle; the appropriation of supplies was gained in the time of Richard II., but the great struggle which settled the question for all time, began in the reign of James I. and continued in that of Charles I., that Parliament had the power to refuse supply until grievances were redressed and that the granting of that supply included also the supervision of the expenditure, so that whether the similar claim set up by the Legislature of Upper Canada had come sooner or later, it was inevitable that it should become a fixed principle of representative Government, there as elsewhere.

In regard to the settling of lands in Lower Canada, the Colonial Secretary had called for a report on the subject of an allowance to the Executive Councillors in addition to their salaries, as a remuneration for the time occupied and the labour involved in deciding on the applications. In answer Milnes reported on the 14th August, 1800, that the decision on petitions, " the most laborious and difficult part of the land business " had been concluded. Those who had the larger part of the labour were the Chief Justice, the Lord Bishop, Mr. Finlay, Mr. Young, Mr. Baby and Mr. Dunn. Mr. McGill had come to Quebec from Montreal for a month. He recommended that the six Councillors mentioned (excluding Mr. McGill whose loss of time and the expense he incurred in coming to Quebec must have been considerable, apart from the neglect of his important private business) should be granted a whole township with the usual conditions as to associates, &c., or half a township (exclusive of Crown and Clergy Reserves) without conditions, except the payment for survey and of the old fees. He recommended, however, that these half townships should not be granted out of the remainders of townships already granted for reasons given in a subsequent letter (Q. 85, p. 166). In this subsequent letter, dated the 4th of November, 1800, he attaches great importance to obtaining the highest price possible for the lands first sold, and adds: "As the remaining " Parts of those townships are of far the greatest value both on account of their " having been actually surveyed and subdivided, and of the settlements made in their " vicinity, the competition for them cannot fail of proving very advantageous to " Government and will probably influence very essentially the value of Lands through-

"out the Province." (Q. 85, p. 248.) He then refers to the proposal to fund the proceeds of the sales of these lands for the benefit of the Province, and expresses his anxiety for instructions to carry this proposal into effect. In a letter dated ——— January, 1801, (No. 11), the Colonial Secretary approved of the design to enhance the value of the townships sold, pointing out how, in his opinion, this could be best done, and directing that the proceeds of all such sales should be remitted to the Treasury for investment on account of the Provincial expenditure, further directing that no patent should issue until the whole of the purchase money had been paid. His Grace further directed that the Governor, Lieutenant-Governor or administrator and members of the Executive Council for the time being, should be constituted conservators of the Crown and Church Lands, should keep the accounts for each strictly separate and apart, the proceeds of the one to be used for the purposes of the Province and of the other for church purposes in accordance with the provisions of the Act of 1791, for the maintenance and support of a Protestant Clergy, and must, therefore, be invested in trust for these purposes and these alone. Before coming to a decision on the amount of the grant to be made to each of the Councillors engaged in the land granting department, Sir Robert Milnes was instructed to send an estimate of the value of each township. On the 24th of February, 1801, he accordingly did so, and informed the Colonial Secretary, that a township of ten miles square was calculated after excluding the Crown and Church reserves, to contain about 44,000 acres, worth on the average, for those whose outline only had been run, fifteen pence currency an acre, the total value of which, deducting the cost of survey and subdivision and the fees, was somewhat under £2,500. He further explained the method adopted to evade the regulations for granting lands to leaders and associates, by an underhand arrangement with the principal leader, by which he was able to become possessor of five-sixths of the township, or nearly 37,000 acres, instead of the 1,200 intended to be his share. As he thought it to be below the dignity of an Executive Councillor to enter into an underhand agreement, he recommended that whatever was granted should be to each solely, not in association with others, the amount granted to each to be in accordance with his attendance. In June, the Colonial Secretary informed Milnes that the King had decided to grant to each of the six Executive Councillors recommended by him, a grant of a quarter of a township without associates, yielding, after the deduction of expenses, about £600, leaving to him the determination as to what would be a fair allowance for the others.

The policy of extinguishing the feudal tenure of lands was advocated by Milnes at an early period, and an Act passed by the Legislative Assembly for the relief of holders of land *en roture* had his entire approval. The preamble to the Act sets forth, "That the collection of the *lods et ventes*, now due in His Majesty's Domain, "to a certain extent and under certain modifications, is just and expedient, but with-"out limitation would be injurious in certain cases." The text of the Act, being in the third volume of the Statutes, 41 George III., chap. 3, it is unnecessary to do more than refer to it here, the effect of it, apart from the relief of those in arrear, being that to which Milnes attached importance. "It is a measure," he says, "in every "respect of sound policy, but I consider it having been carried, as a material step "towards the abolishing in this Province the Feudal Tenure." The advantages arising from this abolition are elaborated in a report from the Attorney-General, to which reference should be made. (Q. 86–1, p. 175.) Before the bill passed the Legislative Council, Chief Justice Osgoode, the Speaker, protested against its adop-

tion, his reasons being given under five heads, the last of which only need be quoted here, the whole being in Volume Q. 86–1, p. 172, among the archives. In this article the Chief Justice lays it down as a reason for the rejection of the bill: "Be- "cause it is an established rule as well of decency as of policy, that every act of "grace or remission emanating from the clemency or bounty of the Crown, should "originate from the Crown. But by the present Bill, which from its title purports "to be a Bill of relief, the Crown debtors will naturally transfer their gratitude from "the Sovereign to whom it is due to those who have spontaneously brought forward "the measure, namely, the representatives." For the protest, answer, proceedings in the Assembly and Council, &c., see Volume Q. 86–1, pp. 157 to 175, 197, 199.

There appears to have been a considerable amount of friction between the Chief Justice and the Lieutenant-Governor, the latter being supported by all the Executive Councillors as against Osgoode. An address by the Assembly to have a *papier terrier* or land roll prepared of the immoveable property held *en roture* within the Censive of His Majesty's Domain, was presented to the Lieutenant-Governor, who approved of the preparation and referred to the law officers the question of the method to be adopted to carry out the object. Their report was referred to a Committee of the whole Council, which agreed on a report, signed by Osgoode, as Chairman. But appended to the report was a protest by Osgoode in these terms: "Where- "as by the Documents communicated to the Committee it appears that the confec- "tion of the Papier Terrier and Censier is to be directed in consequence of an ad- "dress to His Excellency the Lieutenant-Governor from the House of Assembly, "and as a concurrence in such consequential direction may be inferred from the "above Report, I do protest against such Inference. For His Majesty not having "divested himself of the management of his territorial Revenue, and as the said Ad- "dress neither states authority nor inducement for their interference, in my judg- "ment, such interference was irregular and therefore not calculated to meet with "the sanction it has received." The report was laid before the Council, which referred it to the Committee to report on the protest added by Osgoode. The report of the Committee, after the formal introduction that the reference had been received and considered, concludes: "The Committee humbly but decidedly offer it as their "opinion that the said writing in its form and substance as well as in the mode of its "introduction is irregular and improper, that it is irrevelant (irrelevant) to the imme- "diate objects which had been referred for their Report, that in so far as it condemns "a measure which had been previously determined upon by His Majesty's Govern- "ment it fails in decorum and Respect and that it ought not to be received or admitted "to be entered or filed with the Minutes of His Majesty's Executive Council, they, "therefore humbly recommend that the said writing be expunged from the foot of "the said Report." (For the documents referred to, see Q. 86–1, pp. 205 to 217, and Q. 86–2, pp. 219 to 227.) Incidentally the question arose as to the practice of allowing protests to be entered in the Minutes of the Executive Council, Osgoode holding that the practice of the House of Lords should be followed. The matter was referred to the decision of the Colonial Secretary, who in his letter of the 13th July, approved of the course of the Assembly, as justified by Lord Dorchester's message of April, 1794, extenuated Osgoode's conduct, as proceeding from laudable motives, considers the measure as declaratory of the rights of the Crown and at the same time rendering their exercise less burdensome to the subject. The rule as to entering protests on the Minutes of the Executive Council being one of permanent

interest, it may be well to give the decision, which, besides, is in very few words. The Duke of Portland, then Colonial Secretary, says: "It appears to me that no "better Rule can be laid down than that by which His Majesty's Privy Council here "is guided in similar cases. Altho' the most unreserved Liberty of Speech is allowed "to all the Members of that Board in the same manner as it is granted to the Exe- "cutive Councillors of Lower Canada by His Majesty's Instructions, I have reason "to believe that not a single Instance of a Protest is to be found on the Minutes of "the Privy Council and occasions most certainly have not unfrequently occurred "(and indeed must of necessity often occur) where the sentiments of the Members "present diametrically differ from each other. Having thus stated to you what "appears to have been the invariable Practice here in cases similar to that in which "Mr. Osgoode's Protest was entered, I think it unnecessary to enter into any dis- "cussion on the Question of a Right which has never been attempted to be exercised, "nor has ever been laid claim to." (Q. 87–1, p. 2.) A controversy had still been carried on by Osgoode, as shewn in a letter from Milnes of the 12th of June, not received by the Colonial Secretary until the 30th of July. It is unnecessary, however, to do more than to refer to that letter with its enclosures to be found in Q. 87–1, pp. 105 to 140, in which the whole question of the entering of protests on the Minutes of the Executive Council is discussed.

In accordance with the views of the Colonial Secretary, as expressed in his letter, No. 11 of January, 1801, on the policy of enhancing the value of residues of the townships that had been partly disposed of, Milnes reported on the 24th of June, 1802, (No. 23), that he had submitted the subject to Council, that it was proposed to offer, in the first intance, upwards of 82,000 acres at the minimum price of two shillings and sixpence an acre, yielding at that moderate price upwards of £10,000 for Provincial purposes, the quantity offered bearing a very small proportion to the total amount, although, it was remarked, lands already surveyed and sub-divided were much more valuable than others. The letter and proceedings of Council are in Q. 89, pp. 79, 81. The motive of offering this quantity of land is stated in the introduction to the report to be with a view of stamping a value on the land to be disposed of in future. The quantity mentioned in the letter from Milnes is 82,000 and in the resolutions of the Committee of Council, 80,000 acres. There are two clauses in the report to which attention may be drawn as they gave occasion to much complaint. These are :

"5. That the purchaser should, previous to the passing of the patent, take and "subscribe the oaths and declaration required by the Royal Instructions.

"6. That there should be a clause inserted in the patent, whereby the patentee "covenants that his Heirs, inheriting the lands so purchased, shall also take and "subscribe the said oaths and Declaration, then thereunto required."

Attention had already been called to the inconvenience that would arise to natural born subjects by the enforcement of these rules, in event of their absence or the distance of their residence from the place at which the oaths were to be administered, Milnes having pointed this out in a letter (No. 57) to the Duke of Portland, dated 11th August, 1801, in which he asked that the Governor and Council might be authorised to dispense with the taking of the oaths in certain circumstances. The request was repeated in October, 1802. (Q. 89, p. 172.) So far as the correspondence shows, no answer was made to these representations.

The establishment of two systems of law, the French and the English, in the determination of certain classes of questions led to doubts as to which was applicable to cases arising out of disputes concerning lands held in free and common soccage, the question being whether these were governed in respect to descent and dower by the laws of England or by those of Canada. The question was submitted on the 1st of July, 1803 (No. 69) by Milnes to the Colonial Secretary (Q. 92. p. 159), at the same time transmitting the various and contradictory opinions of the Judges. Chief Justice Sewell and Justices Dunn, Williams, Ogden and Davidson held that the laws of England should govern; Chief Justice Monk and Justice Panet and De Bonne took the opposite view, each of these opinions being supported by elaborate arguments, which follow the covering letter from Milnes. On the 9th of January, 1804, the Colonial Secretary transmitted the report of the Attorney and Solicitor General for his guidance, (Q. 93. p. 55, which laid it down "that the English law of "descent and dower must regulate a soccage tenure in Canada." (Q. 93. p. 194.) Much of the correspondence in regard to lands is taken up with disputes as to the division of the fees, but on this topic it is unnecessary to enlarge, the calendar will enable any one desirous to prosecute a search on this subject to obtain easy access to all the documents relating to it.

With respect to the Jesuit Estates the grant to Lord Amherst had not been completed. It was impossible to do so without creating ill feeling in all classes of the community who held that these estates had been granted exclusively for the purposes of education. Reference on this point may be made to the correspondence calendared in previous reports. One of the most important of the documents thus referred to, is a petition, dated 19th November, 1787, a translation of which was transmitted by Lord Dorchester in his dispatch (No. 50) to Lord Sydney, dated the 9th of January, 1789. (Q. 35. p. 62.) In the calendar in the report for 1890 a short summary is given of the petition, which states in emphatic terms, the claims believed to be possessed by the population of Canada to the Jesuit Estates. In the memorial signed by 195 persons transmitting the *mémoire* for the inhabitants it is stated that the document transmitted called in the translation "Case", also signed by 195 persons, "establishes the right of his Majesty's faithful subjects of Canada to "be educated in this College, and at the same time defines those of the Reverend "Fathers, the Jesuits, who under the antient Government were only Professors or "successive administrators thereof." The "Case" elaborates these two points in three articles, the titles of which are given in the Calendar of State Papers, Q. 35. (See report for 1890, p. 204 of calendar.) The statement and citations in the first article cover twenty-three closely written pages of foolscap in the original translation, the conclusion being in these words: "As Canadians and citizens they have a "Right therein by their Titles and the Laws; the College of Quebec having been "founded for their education, it is their Patrimony which they have cleared and Cul-"tivated; even as subjects they have a Right to a public education, which exists in "every Government. It is with truth and justice they declare that neither the Jesuits "nor their creditors have any right to dispose or confiscate the College and its depen-"dancies to the prejudice of His Majesty's faithful subjects, the Canadians." The second article treating of the causes that have deprived the Canadians of their education in the College since the Conquest, need not be enlarged on here. On the third article, the means to restore education in the College to Canadians, the statement is repeated several times that the Jesuits were only professors or managers of public

property for purposes of education, the emphatic words used in one of the allegations being: "It must have been an error when it was said, that the estates and "edifice of the College for education belonged to the Jesuits, who were no more than "rectors and Professors or Managers". "Would it", the case continues, "have "entered into the generous minds of the citizens, of a hundred associates, or of any "one who had founded the College for Education, that they gave the property thereof "freely and fully to the Jesuits, who according to their Institutions could not have "it in any other manner than as dependant upon the General of the Society of all the "Jesuits throughout the Universe." The petitioners then demand that the troops should be dislodged, and prayed that a lawful meeting should be held of natives or residents in the Province, having an essential interest therein, heads of families, "for the purpose of electing a proper number to represent them as Directors or "managers of the said College and its Estates, to preserve them..... cause exactly "to be fulfilled the wishes of this laudable Foundation by soliciting the approbation "of Government and to restore the antient Professors of the College or to name others, "and regulate the recompense due to their talents and attentions." Copies of the original French petition and case (*mémoire*) are in volume Q. 84 beginning at page 87. In 1793, a petition was addressed to the House of Assembly by the inhabitants of Montreal, the prayer of which was to a similar effect as that in the petition from Quebec of 1787, although in a less elaborate form, and this being approved of by the Assembly a petition was forwarded by that body to the King praying that on the reversion of the Jesuit property means should be taken to apply it to the education of youth in the Province, a purpose it alleged apparently congenial to the original intention of the donors. Other documents will be found accompanying the letter from Milnes of the 31st January 1799 (No. 16) in Q. 84, p. 41; a list of these is in the calendar of that volume in the report on Archives for 1891, State Papers, Lower Canada, pages 194, 195. With the views held by the inhabitants of at least the three towns of Quebec, Three Rivers and Montreal, as shown by petitions, and there is no doubt by the rural population also, the unpopularity of the proposed grant to Lord Amherst is easily understood. In the report of the Committee of the Executive Council, a postponement of the issue of the grant is recommended until all the documents relating to the properties are laid before the King, but a further reason for the suggested postponement is to be found in the letter from Sir Robert Milnes, accompanying this report and the other documents. In it he says that he did not feel justified in submitting to the Executive Council the policy of the grant to Lord Amherst, "but they have individually acquainted me with their opinion that it "would be a most unpopular measure, and I feel that I should be wanting in my "duty were I now to omit stating to Your Grace my apprehensions that whenever "the grant shall actually pass, it will occasion very general dissatisfaction through-"out the province, the consequences of which may be greatly extended by the turn "of affairs on this continent." (Q. 84, p. 41.) He then proposes, seeing the magnitude of the estates, to divide them, giving such share as commissioners might decide to be sufficient to procure the benefit intended for Lord Amherst, which would satisfy him, the rest to be reserved for public uses, so as to satisfy the minds of the inhabitants. A personal investigation, however, into the value of the estates, made in the course of a tour during the months of January and February of 1800, led him to withdraw this proposal, as the whole of the estates did not produce such an amount as could be divided with advantage. As a consequence in a letter dated

the 5th of April, of the same year, he suggests another method of carrying out the King's intentions with respect to Lord Amherst, but is even more emphatic in his recommendation to have the means of education increased, not only for young men preparing for the liberal professions, but also for the whole population. The death of the last surviving Jesuit, father Cazot, removed, in the opinion of the Lieutenant-Governor, one of the arguments of the House of Assembly, from which he expected no further opposition to the grant for Lord Amherst, however unpopular that measure might be. He also urges the postponement of the issue of the patent, until a more certain account of the value of the lands can be transmitted. "I feel myself "called upon," he says, "to report to Your Grace, that the absolute want of the "means of a liberal education is so severely felt that it will at all events be very "grating to the Canadians to see so large a property converted to other purposes "and that it would considerably lessen their dissatisfaction could any measures "with respect to the establishment of a college be at the same time held out to them." (Q. 84, p. 270.)

In a letter from the Anglican Bishop of Quebec, dated 19th October, 1799. (Q. 84, p. 183), His Lordship calls attention to the disadvantage under which the Province has long laboured from the want of schools, not only Grammar schools for young men intended for the learned professions, or who from their rank may hereafter fill situations of great political importance, but for a not less important branch of the community. "It is well known," he says, "that the lower orders of the people "in this Province are, for the most part, deplorably ignorant: that the very slender "portion of instruction which their children obtain is almost entirely confined, "amongst those who do not live in the towns, to the girls alone; and more especially "it is notorious that they have hitherto made no progress towards the attainment "of the language of the country under whose government they have the happiness "to live." The injurious line of demarcation thus drawn between the two sections of the community is pointed out, dividing as it did into two separate people those who should naturally form but one, and he proposes a remedy, that a certain number of able English teachers should be paid by Government and placed in each city, town and considerable village, with the obligation of teaching English gratis. This communication was referred to the Executive Council and on the 22nd was reported on by a committee, the report approved of and ordered to be entered on the minutes. The committee's report is very short, so that it may be given in full. It is in these words: "The Committee having taken into consideration the paper referred, and being duly apprised of its important tendency to promote the welfare of the Province, do most seriously recommend that the plan suggested may be agreed to." In forwarding the documents on this subject, Sir Robert suggested that a grant of lands should be made for the establishment of Grammar Schools and of a College at Quebec. This, he believed, would not only add to the popularity of His Majesty's Government, but would also be highly beneficial in a political and moral light, and especially as a means of encouraging [the use of] the English language throughout the Province. In July, the Colonial Secretary stated in a dispatch to Milnes, that the proposals of the Bishop recommended by the Council were approved of and he he was authorized to grant the necessary sums from the Provincial funds for payment of the teachers' salaries for free schools to be established throughout the Province, especially for teaching the English language, the number to be thus taught not to be limited but general. In addition schools of a higher grade were to

be established on the mode of the English Public Schools, and so soon as it became expedient, other and more enlarged institutions should be founded. The effect of these proposals, which the Lieutenant-Governor had officially made public, had the happiest result according to Sir Robert's dispatch of the 23rd of February, 1801, and although the grant to Lord Amherst would always be an unpopular act, yet this was a peculiarly favourable moment for carrying it out, the order for the establishment of a competent number of free schools, &c., having had the effect of setting aside all reference to the Jesuit estates. A bill was in course of preparation in the Assembly for erecting school-houses in the different parishes, which if not opposed by the Roman Catholic clergy would probably be adopted. On the 5th of July, 1803, (Q. 92, p. 205), Milnes reported that he had referred to the Executive Council, the question of the manner of appropriating lands for education and the extent of the grants. In transmitting the report he remarked on the very extensive scale which the Committee proposed for the necessary reservations, but added that no pecuniary assistance was asked from the parent state, and that in proportion as the waste lands were rendered productive, an essential benefit must arise to the Province, trusting that for these reasons the plan would be recommended for His Majesty's consideration. The report, which accompanied this letter, considered the requirements of three classes of schools. 1. The parish schools to teach reading, writing and the keeping of accounts. 2. Grammar schools, where pupils of the middle class may learn to speak and write their mother tongue with critical precision and to acquire such a knowledge of foreign languages, living and dead, as may be useful in their future career. 3. A superior seminary or university, where youths of a higher rank may receive an education to fit them for the important and dignified stations, to which their situation in society authorized them to aspire. The first was already provided for; with regard to the second, the Committee could not think that less than eight such schools would answer the purpose, namely, one at some place below Quebec, one at Quebec, one at Three Rivers, one at Montreal, one at the new settlement on Missisquoi Bay, and three more to be afterwards distributed. Those at Quebec and Montreal should be erected immediately, as the Province did not afford the means of giving even the rudiments of a liberal education, except through one or two private schools limited in plan and uncertain in duration. A parent was obliged, therefore, to engage a private tutor, which few could afford, or to send the child to Europe among strangers at the most momentous period of life, or "lastly, must resort to the desperate expedient of sending him to the United States, that he may learn to contemn the religion and hate the Government of his native country." To establish schools at Quebec and Montreal on the model of Westminster, Winchester, and Eton, the Committee recommended the grant of lands to yield £20,000 currency for each of these two, a smaller sum might be sufficient for the other six. With regard to a university, the Committee thought it premature to formulate any plan, but recommended, that an appropriation should be made to cover any plan that might be adopted. (For report see Q. 92 beginning at page 210.)

The labours of Mr. Joseph Bouchette, as Surveyor-General, appear to make some reference to his services desirable. The duties of the office, in view of the settlement of the country were important, and for some years before the death of his predecessor, Major Holland, the infirm state of the latter's health unfitted him for the active discharge of the work for which he was responsible, but it was not until after his death that any official investigation was made as to the condition of the

office, consideration for his merit and past services preventing such an examination. When it was at last made, the committee of the Executive Council, to which it was entrusted, reported that the office was in an unsatisfactory condition, and that the system adopted by Major Holland's assistant would, there was reason to apprehend, give rise to much litigation, and Sir Robert Milnes says, "it will require a person of much ability, as well as of great integrity, to establish such a system in the department for the future, as shall equally ensure the rights of the Crown and of individuals." Such a one was found in the person of Mr. Bouchette, to whom the commission of Deputy Surveyor-General was given, in room of Collins deceased, and the manner in which from the first he managed the affairs of that important department is best shown by quoting the words of the Lieutenant-Governor in his dispatch of 22nd April, 1802. "Mr. Bouchette," he says, "has fully answered the expectations "which were formed of him both by the Committee and myself, so that since his ap- "pointment, every facility has been given to that part of the public business which "relates to the granting of the waste lands of the Crown." (Q. 88, p. 70.)

Joseph Bouchette whose appointment to the office of Deputy Surveyor-General was made on the 15th of February, 1802, was the son of a Canadian, as stated by Simcoe in a letter to Lord Pelham of the 2nd May, 1802, to whose fidelity Lord Dorchester trusted his personal safety and in that the preservation of Canada, during the American Rebellion. He commanded the naval force on the lakes of Upper Canada, a post of great anxiety and inadequate profit, in which he conducted himself with great integrity. (Q. 90, p. 289.)

Joseph had from an early age been actively employed in different capacities. In 1791, he was a provincial land surveyor and a draughtsman under his uncle, Major Holland. In 1794, he received a commission as lieutenant in the Provincial navy, serving for five years, part of which time he was in command of one of His Majesty's vessels and saved during that time H.M.S. "Onondaga" off York (Toronto) harbour when deserted by the officers and crew. He was employed in hydrographic surveys of the harbours of Lake Ontario by Simcoe, to his entire satisfaction, and was for some time in command of a row galley on the St. Lawrence, with a detachment of troops to guard against apprehended hostile attempts. Besides the naval, he was also engaged in military service, was lieutenant, adjutant, and instructor of the Canadian militia at Quebec and was subsequently appointed to the command of an artillery company. As already stated, he was appointed Deputy Surveyor-General in 1802, and promoted to the rank of Surveyor-General in 1804, in which capacity he perfected a system of survey and alleged, the correctness of which statement there seems no reason to doubt, that in the three years he had transacted more business than was done in the twenty years preceding.

The promotion to the office of Surveyor-General was actually made by the Lieutenant-Governor in the month of August, 1803, but the appointment was not officially approved of by the Ministry until 1804, although Mr. Bouchette was in the active discharge of the duties of his office during the interval. The establishment was then very limited, and in November, of 1804, the Council recommended the appointment of two clerks and a messenger, the total establishment, in addition of course to the Surveyor-General himself; the salaries recommended were for the one clerk ten shillings a day, and for the other £150 sterling a year, the charge for the messenger to be £40 a year, but that was to include the cost of his board to be provided by the Surveyor-General. These sums, the Committee were afraid, might becon-

sidered extravagant, but it was hoped they would be sanctioned and "not be thought too much for the purpose of procuring and attaching persons who can be depended on in the public service." On the 2nd of May following, the arrangements and expenditure were sanctioned. (Q. 97. p. 38.)

Whilst in London in 1807, Mr. Bouchette urgently called attention to the importance of having the boundary between the Province of Lower Canada and the United States determined, and pointed out in plain terms the difficulties that would arise were this not settled. But the boundary was not settled for nearly forty years later, the two countries being repeatedly on the verge of war from disputes arising out of this question. A reference to the memorandum he submitted may be found interesting, if not now useful. It is in Q. 106-2 p. 437, followed by extract from a speech of the Governor of Vermont, indicating the claims set up by that State. Some days after, he sent the "Heads of a plan of defence respecting the two Canadas." (Q. 106-2, enclosed in letter of 9th August, p. 479.) In the latter end of August, 1807, he left London to take ship at Portsmouth, but was too late and went on to Plymouth; there he could only find a ship bound for St. John, N.B., a misfortune which was afterwards of great advantage. He anticipated a laborious and expensive journey across the country to get to Quebec, although affording him an opportunity of acquiring a more correct knowledge of that communication. How thoroughly his anticipations in this latter expectation were verified, is shown in the topographical description of the various provinces, which he published in 1831, and although it is now fully sixty years since that date, the work is still regarded as an authority on the topography of the country, including the two Canadas and the Maritime Provinces.

The subject of immigration, by name, was little noticed by the Legislatures of either Province, the object of granting the lands to individuals being their settlement by private effort. The list of applicants for lands published at the end of each volume calendared and in the notes in this and previous report, may assist in determining with what success these efforts met. But certain causes and individuals may be noted, as affecting this object.

Colonel Thomas Talbot, who had been in Upper Canada with Lieut.-Governor Simcoe left the Province in 1794, having had a promise of the grant of an extensive tract of land. On his return in the spring of 1801 he, however, found that the promise had not been fulfilled and wrote to the Duke of Kent to that effect. He had arrived, he said, at his favourite settlement (the letter is dated from Skittiewaabaa, Upper Canada) and had found his situation all he could have wished. In order to avoid payment of the fees under the new regulations, which rendered the possession of lands more expensive and difficult than when he left, he asked the Duke to adopt a plan which he points out, as he thought he was equally entitled to the rank of *Hidalgo* as other adventurers in a new country. The plan he proposed to the Duke was to obtain for himself the grant by royal patent of the Township of Houghton in the County of Norfolk on Lake Erie, or any adjacent township not granted, exempt from fees and obligations of settlement; then to transfer the patent to him (Talbot), transmitted through the proper channel to have the provincial deeds made out for possession. He mentioned the Township of Houghton as being near his place of residence, this would place "the once gay Tom Talbot" under great obligation; he

was out, he said, every morning at sunrise in his smock frock, felling and burning the forest to form a farm, and adds: "Could I but be seen by some of my St. James' friends when I come home to my frugal supper, as black as any chimney sweeper, they would exclaim, what a damned blockhead you have been Tom, but no, as I actually eat my homely fare with more zest than I ever did the best dinners in London." (Q. 291, p. 517.) The Duke of Kent made the application, but not in the form asked for by Colonel Talbot, but for a direct grant free from the fees, &c., on the ground that the grant had been promised in Simcoe's time, and through oversight not carried into effect. A similar application had been made to the Duke of Cumberland, and the reasons for the refusal of both of the royal brothers to make such a request to the King, throws a curious light on the relation between George III. and his sons. Writing to Lord Hobart on the 11th of October, 1801, the Duke of Kent states the difficulty felt by Colonel Talbot with respect to the obligations he would incur, and says: "To obviate this, from his ignorance of the difficulty there is "for any of His Majesty's sons to address him with a request of any sort, but more "especially of the nature of that which he points out, he has made an application to "my Brother to ask for a township in his own name to be hereafter transferred to him. "But this is quite out of the question, for the Duke of Cumberland by no means "wishes that his name should appear in this transaction." Both of the royal Dukes, however, were anxious that Talbot's wishes for exemption should be granted, for which the Duke of Kent believed there was sufficient justification. The request was complied with, and an order sent that steps should be taken to carry it out. On the 27th October, 1802, Colonel Talbot proposed to Mr. Sullivan a government scheme for attracting settlers to Upper Canada, which he offered to superintend and direct. (For statement of Talbot's services, see Simcoe's letter of 11th February, 1803. Q. 296, p. 286.) In the spring of 1803, he was granted the land he asked for, but as accounts are to be found in printed form of his proceedings, it is unnecessary to enter into them more fully here.

The exertions made by Lord Selkirk to promote emigration are well known, and his publications on the subject are accessible. In 1802, His Lordship laid before Government proposals for an extensive emigration from Ireland to Canada. His proposal (Q. 293, p. 172), was to establish a colony, expressly for Irish Catholics in some unoccupied part of North America, where everything should be arranged to suit their religious and national prejudices, that encouragement should be held out to settlers and the expense of their passage be paid from the public purse. Were the plan adopted he would undertake to settle the proposed colony, and if Government would defray the expense of their passage, he would pledge himself to procure any number of settlers that might be deemed advisable. In supplementary observations, sent a few days later, he suggested that the proper place for the colony should be in the neighbourhood of Lake Winnipeg. The obstacle to this was the monopoly of the Hudson's Bay Company, for which he proposed a remedy. (Q. 293, p. 178, see also letter p. 169.) The letter was addressed to Lord Pelham who transferred it to Lord Hobart with notes by Mr. King, who did not agree with the scheme, as he did not think colonizing *en masse* would do, nor that new districts or separate colonies could be formed. Every person settling must be under the laws and executive authority of the Province. As for the fur trade, it took good care of itself and there was a "salutary neglect" which beat all the care in the world. This particular proposal, therefore, came to nothing.

In the meantime an intended emigration from the West Highlands of Scotland, under whose direction does not appear, was reported by the collector and comptroller of Customs at Fort William, but the Board of Customs in Edinburgh appear to have placed such obstructions in the way as to prevent the emigration from taking place.

In July, 1802, Lord Selkirk applied for lands at the Falls of St. Mary (Sault Ste. Marie), and also for a grant in Prince Edward Island. In August, he entered into details of his plans; he would make it his study, he said, to learn the means of finding German settlers, of Scotch he had no doubt of securing a sufficiency, as great numbers were about to emigrate from the Highlands, but was sorry to learn on a visit there that so many had gone to Carolina and others were preparing to follow next year. He could not absolutely state the number of people he could settle, but if terms were not unfavourable he could engage in a few years from 800 to 1,200 families, and if he should obtain the grant of the minerals he would not scruple to undertake still more. (Q. 293, p. 219.) In accordance with this proposal His Lordship sent an agent to examine the situation at the Falls of St. Mary, who was recommended to the protection of General Hunter by Lord Hobart. In November, His Lordship wrote that he had succeeded in overcoming to some extent the habit of the Highlanders to go to whatever place their friends had settled, from which cause so great a proportion went still to Carolina and New York. On condition he accompanied them, 100 families had consented to accept his offers, who otherwise would have gone to Carolina. (Q. 293, p. 256.) Lord Selkirk's plans for emigration it seems unnecessary to trace further. His pamphlet respecting Highland Emigration and the settlement of Prince Edward Island published in 1805, will furnish information of the ideas he entertained on this subject.

In March, 1803, Lord Hobart informed General Hunter, that a body of Highlanders, mostly Macdonnels and partly disbanded soldiers of the late Glengarry Fencible Regiment, with their families and connections, were about to follow to Upper Canada some of their relations already settled there. Their merit and services, His Lordship said, give them strong claims to every mark of favour and consideration, and he had no doubt they would prove as valuable settlers as their connections now residing in the district of Glengarry "of whose industry and general good conduct very favourable representations have been received here." (Q. 294, p. 141). In an undated letter (endorsed as written from Edinburgh in March, 1804), the Reverend Alexander MacDonell wrote to Mr. Sullivan, that as his suggestion had been agreed to of keeping "Scots Catholics" in Canada entirely under the spiritual direction of pastors selected from among their own countrymen, who had been educated in Great Britain, and that a wish had been expressed that he should assume the direction accordingly, he was ready to sail in the first vessel from the Clyde, and could take a well qualified schoolmaster with him, should Government decide to defray the expense. The proposed emigration in a body of the disbanded soldiers of the Glengarry Fencibles was prevented by unexplained circumstances, but the Reverend Alexander MacDonell did not on that account abandon his determination to join his countrymen settled in Glengarry in Upper Canada, and Lieut.-Governor Hunter was instructed to give him every assistance that was possible, which he replied should be attended to on the arrival of Mr. MacDonell, at the same time expressing his disappointment that the disbanded soldiers had been prevented from coming. The Glengarry Fencible Regiment, he

said, "served some short time under my command in Ireland in 1798, when I found them to be a remarkably well-behaved and well-disposed set of people." (Q-299, p. 49.)

Mr. MacDonell arrived in Upper Canada during the summer of 1804, with, to quote his own words, "instructions from Lord Hobart to take upon him the spiri-"tual charge of the Scotch Highland Catholics settled in the Province." He was to fix his residence in the Highland Settlement of the Eastern District, that is in Glengarry, but to visit occasionally other Highland settlements. The memorial from which this is taken describes Mr. MacDonell as "Chaplain to His Majesty's late Glengarry Regiment." The object of the memorial was to obtain the assistance promised by Government to enable Mr. MacDonell to procure a few clergymen and schoolmasters of their own countrymen for the Highlanders, and to call attention to the great extent of the work thrown on him, which it was impossible he could perform alone. Besides those at his own immediate place of residence, there were settlements at York, Kingston, Niagara, Johnstown and Newcastle. In the Eastern District, the Highland settlement included the whole tract between the St. Lawrence and the Ottawa, composing the Counties of Glengarry, Stormont and Prescott, with a population of 10,000 rapidly increasing. (Q. 305, p. 4, see also the account by Bishop MacDonell of the settlement of Glengarry, among the Archives. The catalogue of the printed books may be referred to under the title "MacDonell," and under the same title is a statement among the manuscripts series M.)

In 1803, a proposal was made for a Swiss settlement in Upper Canada, in 1805 Sir George Mackenzie made inquiries as to the prospect of sending a number of his tenants there, and in 1807 a petition was sent by Lancashire labourers for assistance to emigrate, but, so far as the documents show, no result followed these movements.

Great importance was evidently attached to the cultivation and preparation of flax and hemp to be used for cordage for the Royal Navy. The correspondence relating to both Provinces clearly establishes this fact. The most liberal encouragement was given to persons who intended to enter on its cultivation, and premiums were offered of considerable amounts for the best samples sent to Britain. Some remarks on this subject may be found in the report for 1891, pp. xlii and xliii.

The sums proposed to be invested in this industry were comparatively large. Mr. Philip Robin, junior, of the Island of Jersey (presumably one of the family of Robin, Pipon & Co., engaged in the fisheries) proposed to invest £10,000 sterling in the cultivation and preparation of hemp, should sufficient encouragement be offered by Government. The attention of Mr. Robin, it was stated by Messrs. LeMesurier, who forwarded his application and engaged to become security for the fulfilment of his engagements, had long been directed to this object, but the length of time required before returns could be received had hitherto deterred him from turning this knowledge to account, so that it was necessary for Government to assist with advances during the first years. He desired that all the transactions should be between him and the Imperial Government owing to the failure of all previous attempts made under the supervision of the Provincial authorities. This latter statement is not borne out by the correspondence, as the Colonial Secretary writing some months after the date of the application on behalf of Mr. Robin, expresses his

satisfaction at the progress made and hoped that the Legislature would take measures to promote effectually this very important object. In accordance with this desire on the part of His Lordship, an Act was passed in the following session, and the subject, says Sir Robert Milnes, was taken up with considerable spirit in the districts of Quebec and Montreal, in which committees had been established, which had jointly issued instructions in English and French, "On the mode of cultivating and preparing hemp," shorter instructions being published in the Official *Gazette* by the Montreal Committee, with the following advertisement, in English and French as are all the documents issued by the committees. "Notice is hereby given "to persons inclined to raise Hemp, that seed will be delivered gratis, at Quebec and "Montreal, to such persons as will engage to sow the same, not exceeding two and "one-half bushels to one person, and that nine pence per pound will be paid for "good clean Hemp of the growth of Lower Canada, equal to samples of Russia clean "Hemp, to be seen at Quebec and Montreal and delivered on or before the 30th Sep-"tember, 1803, and twelve shillings and sixpence per bushel for good ripe Hemp Seed "delivered on or before the 1st January, 1803." The Act (George III., 1802, Cap. V.) provides for the application of £1,200 currency, to enable the inhabitants "to enter "on the culture of hemp with facility and advantage." Premiums were also offered by societies, and at page xliii of the Report for 1891, already referred to, it will be seen that in 1804, Mr. Isaac Winslow Clarke, Chairman of the Montreal Committee, received the gold medal from the Society of Arts &c., for hemp grown in Lower Canada, the other medals being awarded to Upper Canadians.

That the interest in the subject was widespread is apparent from the evidence afforded by the correspondence. Sir Joseph Banks, the President of the Royal Society and a man of distinguished attainments, in reply to a reference from the Board of Trade, gave some information that will help to account for the abandonment of this industry in the Canadas, in spite of every effort to foster and encourage its prosecution. In respect to the probability of obtaining a supply from the British Colonies in America he is not hopeful. On this head he quotes from a communication from Stephen Shairp, Esq., which says: "In countries where the hemp is "grown, the peasants are *glebi adscripti*" [serfs], "whence it is that no large farms can "exist there and hired labourers are not easy to be procured. Hemp, therefore, is "seldom cultivated in large fields, but generally in small patches near the house of the "peasants each of whom raises as much as he thinks he can, with the assistance of his "family, prepare for the market, and no more." Mr. Shairp gives further details respecting the mode of collecting for the market, &c., and after pointing out the immense value of this industry to Russia, adds: "A stoppage of this trade would "paralyze the Empire in every vein, for it extends to the most minute ramifications." Hence Sir Joseph concludes that the exportation of hemp from Russia cannot be stopped under any conceivable circumstances, and that however low the price paid to the British or Colonial producer, Russian hemp will be offered at a still lower rate. Sir Joseph then enters into calculation of the cost, founded on those made by Chief Justice Elmsley for Upper Canada, and shows that the price when delivered for the Navy is greatly in excess of that at which Russian hemp can be obtained. His final conclusion is that hemp should not be grown in a populous country, as for every ton raised there is a deduction of sixteen quarters (128 bushels) from the food of the inhabitants. (The letter in Q. 90, p. 323, may be read with advantage, as it shows how impossible it was then, and it is to be presumed even now, to compete in the

market with hemp of Russian growth, the hemp produced in Canada being at present restricted to that grown in small quantities on a limited area.

The reports of the ropemakers (Q. 93, pp. 151, 154) agreed as to the tensile strength of the hemp, which for some purposes was, they considered, better suited than any other, but the imperfect manner in which it was prepared for the market seriously diminished its value.

Among the applicants for land to be set apart for him as a bounty for raising hemp was Philemon Wright, the founder, it may be said, of the lumber industry on the Ottawa, and whose descendants still occupy positions of note in that district. His application was for Kettle Island, opposite Templeton, a few miles below the present City of Ottawa, and so much fit land in the townships of Hull and Templeton as could be found for the cultivation of that plant. The committee, however, in view of the prohibition either to grant, or to give leave to occupy, islands, refused the first part of the petition and adjourned the consideration of the second. The proposals made by Mr. Wright were: 1. To engage to sow 100 acres in ten years or less, 10 acres to be sown next spring (1803). 2. To erect a water or horse mill for preparing the hemp. No return to be asked for the loan of the seed for the first season, a grant of 10,000 acres of arable land on the Grand or Ottawa River, independent of the premium or other encouragement offered by Government. He pointed out the great expense that must be incurred by erecting mills and procuring workmen from New England, and urged that if his proposals were agreed to, the land should be set apart at once so that he could have it prepared without delay for cultivation.

The counter propositions of the Committee were: That Mr. Wright should raise hemp in the township of Hull for ten years to the extent of ten acres annually and receive 200 acres for each ton of good merchantable hemp delivered and inspected, but the amount on which the grant is to be based is not to exceed 100 tons (that is 20,000 acres as the maximum); he could sell the hemp to the best advantage; he was to receive no additional bounty from the Provincial or British Government, but that did not debar him from receiving premiums offered by agricultural societies or any other private bounty. The Committee recommended that 20 bushels of seed should be advanced for the first crop, to be returned next year if required, Mr. Wright agreed to the counter proposals, so far as regarded the annual sowing of ten acres, but asked leave to modify his proposals after a year's experience. The plan proposed by Mr. Wright of sowing in drills, was negatived by the Lords of Trade on the ground that whilst better seed might be produced, the expense of cultivation would be increased and the quality of the fibre injured by the plants sending out numerous side shoots, the broadcast system and thick sowing being the best to pursue. Other applicants in Lower Canada will be found mentioned in the calendar, a reference to which will enable investigators to obtain access to the text of the documents.

In Upper Canada a similar disposition was shown to enter upon the cultivation of hemp. Colonel Talbot, the founder of the Talbot settlement, selected the township of Yarmouth in Western Canada, now Ontario, as suitable for its growth, and proposed to extend its cultivation through the whole township. So far as the volumes calendared in this report are concerned, the references to the cultivation of hemp in Upper Canada are few and the information meagre, yet the proof that it was engaged in to a certain extent is undoubted, one of the evidences being the giving of medals to farmers in Upper Canada by the Society of Arts, etc., for the quality of hemp produced. (See Report for 1891, p. xliii.)

The question of impressment only comes up incidentally, although it was carried to a high degree, many of the vessels in Quebec being left so short-handed that their sailing late in the season was attended with very serious danger owing to the weakness and consequent inefficiency of their crews. Nor were the seamen taken without resistance, so that bloodshed was frequent, and occasionally a life was taken, of which an instance may be found in the calendar of a previous report. Even the protection afforded by law in the case of persons specially exempted from being thus kidnapped was not always sufficient to preserve their liberties, the press gang not caring to distinguish too closely between those who might and those who might not be pressed into His Majesty's naval service in time of war. Two cases are mentioned in the documents calendared in this report. One reported on by Sir Robert Shore Milnes in his letter of the 15th of November, 1804, (Q. 96, p. 2) was that of John Queen, apprentice to a hatter named John Digouard at Quebec, a boy under eighteen and who had never been at sea. He had been carried off by the press gang of H.M.S "Orpheus," and the Lieutenant-Governor applies for his return and for the redress which he holds to be due for such a violation of law. The other case was that of a son of Judge Panet, who had been pressed in London, two years before, and was serving still as a common seaman on board H.M.S. "Excellent" in the Mediterranean. Sir Robert stated that he had already made application for the return of the young gentleman through private channels and now wrote officially. (For the danger to the navigation of merchant vessels caused by the practice of impressing, reference may be made to this letter Q. 96, p. 2.) In consequence of the representation made by Milnes, Lord Camden took immediate steps to have the young man delivered up, and on the 22nd of May he was informed that young Panet had been discharged from the "Excellent." What became of Queen is not on record.

The difficulty of obtaining means to build Gaols and Court-houses in Lower Canada was attempted to be overcome by lotteries for raising the necessary funds. But the proposals to that effect were not agreed to. The substitutes that could be made use of as places of detention were not satisfactory; as they neither afforded security for the custody of the prisoners, nor the shelter that humanity required. In 1796, the Grand Jury of Montreal, whose attention had been called to the subject by an indictment laid before them against the gaoler for the escape of prisoners, visited the gaol and in a presentment at the September term of 1796, represented that the outside walls of the building were so decayed as to be not only insufficient for the safe custody of prisoners, but that it was absolutely impossible to make them secure without being rebuilt. The Grand Jury of Quebec made a similar presentment respecting the gaol there, entering into minute details of its condition. The occupants of each floor were described, some under sentence for aggravated crimes, murder, &c., others confined for venial offences, but all shut up together. The jurors, after enumerating the sufferings endured by the prisoners from cold in the severe weather, called for the interference of Government to establish a properly arranged gaol, in which a division of the prisoners could be made, and the sentence of hard labour be carried into effect. The presentment further alleges, that these prisoners suffer no other punishment than deprivation of liberty, "their friends or "relations being allowed to carry them all sorts of provisions, and from their remaining so long in a state of idleness, mixed as they now are with other offenders, they

"are in great danger of leaving the gaol at the period of their confinement more "hardened in vice than when they were committed."

In 1804, the Grand Jury of Montreal made another presentment, which gives a picture of the state of the gaol, which, if correct, showed plainly the necessity for a new building, and of its correctness there is no reason to doubt. The presentment states: "That the present gaol is only the ruins of the former one, which was "burned, repaired and patched up in such a manner that the prisoners are sheltered "from the inclemency of the weather, but by no means prevented from going out "of it whenever they feel so inclined." The exposure of the inhabitants to all sorts of outrage is represented as a strong reason for a new gaol being built, and the assistance of the court is requested to obtain the remedy so imperatively required. The Chief Justice, Monk, forwarded the presentment to the Lieutenant-Governor, with a recommendation that its prayer should be given effect to, and Sheriff Gray was asked for a report on the subject. From this report it appears that the same building had existed under the French rule, that it had then, as well as subsequently, suffered from fire, and that although the sum of £615 had been recently expended on repairs it was still inadequate to the security of prisoners.

In accordance with the reports, &c., an Act was passed in 1805, by which Commissioners were appointed to have a gaol erected in each of the cities of Quebec and Montreal, the cost in each case being restricted to £9,000 currency, the amount required to be levied by duties on goods imported into any part of the Province. On the question of erecting the gaols in these two cities, there was no difference of opinion in the House of Assembly, but on that of the ways and means for carrying out the object proposed, a discussion at once arose, the members of the Assembly connected with trade being urgent for the imposition of a land tax, the land-holders, English and Canadian maintaining that the amount required should be raised by means of import duties, which latter proposal was embodied in the Bill. Petitions were then sent to Legislative Council by the merchants of Quebec and Montreal against the Bill and leave asked to plead at the Bar of the House which was refused, and the Bill passed the Upper Chamber unanimously. The Lieutenant-Governor was then petitioned to reserve the Bill for His Majesty's consideration, but on the report of the Attorney-General, to whom the question was referred, it was decided to grant the royal sanction without reservation, and the Bill became law. For the arguments for and against the policy of imposing import duties, reference may be made to the letter of Sir Robert Milnes of the 12th of April, 1805, (No. 22), in which a very full account of the discussions is given, as well as of his own reasons for giving his assent. (Q. 97, p. 59.) Copy of the petition of the merchants of Montreal to the Council against the Bill is in Q. 99, p. 100, that from the merchants of Quebec to Milnes, being a duplicate of that from Montreal, has not been copied. In view of the importance attached to this impost by the mercantile community reference may be made to the memorial by merchants in London trading to Canada for the disallowance of the Bill in Q. 99, p. 285, the covering letter from Mr. Inglis of the firm of Phyn, Inglis & Co., being at p. 284.

In the previous reports information was given respecting canals for the transport first of military stores and afterwards of merchandise, some additional papers on that subject are calendared in this report. Among these is a memorandum by Sir Alexander Mackenzie on navigation by the Upper St. Lawrence. His proposal made in the most general terms is contained in Q. 293, p. 120, but no plan of any

kind is suggested, beyond the fact of the feasibility of opening a navigation from Montreal to Lake Ontario, with a length of canal of fourteen miles, of easy construction, as against upwards of ninety miles from Albany to the same lake, and he urges men of capital in London, who would no doubt be appealed to for means to carry on so vast a work as the latter, for which the resources of the projectors in the United States were inadequate, not to be tempted to assist a foreign, to the detriment of the mother country. Colonel Mann, commanding the Royal Engineers, to whom the proposal was referred, remarked on its vagueness, but agreed that at a moderate cost such a system of navigation as was proposed by Sir Alexander Mackenzie was practicable, the improvement in navigation being in many places of easy accomplishment even without the expense of canals or locks, but he attached the greatest importance to the construction of the canal from Montreal to Lachine. He assumed, an assumption that appears to be forced and non-natural, that Sir Alexander, in speaking of a canalage of fourteen miles, means that distance in a continuous line, and needlessly controverts such a statement. "It is possible," he says, "he may mean the sum of all the different lengths to be cut through at "different places may not exceed fourteen miles," which to those who know the ground, and Colonel Mann was one of these, would appear to be precisely what Sir Alexander did mean. Colonel Mann's condition, before giving an estimate of the cost and of the time necessary for the accomplishment of the work, that the propositions should be very explicit, was but reasonable. The result of cutting a canal across a neck of land above the Cascades, he stated to have been satisfactory, as the cost would soon be repaid out of the tolls, but doubted very much if this would follow the construction of fourteen miles of canals and locks, a doubt which he attributed to his want of commercial knowledge, as a reason for his diffidence in pronouncing an opinion. Whatever may have been Sir Alexander's exact plans, his scheme has been substantially carried out with the addition of the Lachine Canal to which Colonel Mann attached so much importance. The communication between Lake Ontario and Montreal, besides that from the Upper Lakes by the Welland Canal, has been completed on a liberal scale, enlargements of the canals and locks having been made more than once, and the navigation otherwise improved. Reference may be made respecting canal projects to the reports on Archives for 1886 and 1890.

The state of religion, so far as Protestants were concerned, was not satisfactory either in Upper or Lower Canada. The first Anglican Bishop complained frequently and bitterly of the treatment accorded to the Church of England. In his letter of the 6th of June, 1803, (Q. 92, p. 253), printed in full at note C., in this report, he draws a comparison between the position of the Roman Catholic Church and the Church of England in Lower Canada, in which he says: "Compared with the re-"spectable establishments, the substantial revenues and the extensive powers and pri-"vileges of the Church of Rome, the Church of England sinks into a merely tolerated "sect, etc.," and calls attention to the use of the title of Bishop of Quebec by the Roman Catholic dignitary, his official title being, he states, "the superintendent of the Church of Rome," who under the immediate sanction of the Pope's Bull has entered upon his episcopal functions, and exercises without control all the patronage and other privileges attached to the rank of a Bishop. (See the letter referred to and Appendices B, C and D.) An interesting conversation and report of a second will be found between Mgr. Plessis and Attorney-General Sewell, beginning at page 23

of Note C., and reference may also be made to the other documents printed in in that note. In forwarding the two reports from the Attorney-General of the versation between him and Mgr. Plessis, the Coadjutor, Sir Robert Milnes st that both the Bishop and Coadjutor would accept the terms offered, and forwa petition from Mgr. Denaut, the Roman Catholic Bishop, praying that he and successors should be civilly recognized as Bishops of the Roman Catholic Churc Quebec, "and enjoy such prerogatives, rights and temporal emoluments as Y "Majesty shall graciously attach to that dignity." (The petition, with a translatio at the end of Note B.) In the letter of the 4th of July, 1805, (No. 28), forwar this petition, Sir Robert Milnes wrote, in reference to the application by the Bis for an increase to his allowance, that as a condition precedent to such an incr "he shall implicitly conform to the 44th article of His Majesty's instructions, w "requires that no person whatever shall have the cure of souls without a license "had and obtained from the Governor, etc., and which hitherto has never beer "forced, but which I was directed by His Grace the Duke of Portland to endeavo "effect by every means which prudence can suggest." Further on in the same le he says, "I have every reason to believe that both the Bishop and Coadjutor w "not hesitate in accepting the terms, if it were not for their dread of the pop "clamour, and their fear of being accused of relinquishing the pretensions of t "Church for considerations of private advantage, scruples which I have little d "they will lay aside, if the object is steadily followed up." The letter of Milnes f which these are extracts has been very fully calendared, and deals besides questions relating to the Bishop, with that of the properties held by the semina with reports attached dealing with both subjects. It may be added that Denaut died on the 18th of January, 1806, and was succeeded by Mgr. Plessis, C jutor, who took the prescribed oaths on the 27th of the same month, M. P being appointed to the office of Coadjutor and taking the oaths on the 8th of Fe ary following, although at first some doubts were entertained as to the propriet M. Panet's appointment.

In compliance with repeated representations on the subject of the wa church accommodation for the Protestant inhabitants of Quebec, made by the Bishop, to which a slight reference was made in the report for 1891, the Colc Secretary, the Duke of Portland, wrote to Milnes, as there stated, on the 24t July, 1799, authorizing the building of a Metropolitan Church at the seat of Gov ment, on the site of the late Church of the Recollets, and to apply for that pur a sum not to exceed £400 annually, having no doubt that the inhabitants would tribute to the extent of their means towards the accomplishment of so laudabl object. As the law did not authorize the collection of tithes, it was the duty of Provincial Legislature to make some provision for the officiating clergy. T means, however, he believed would be more easily found than suitable persons the office, a point on which he was in correspondence with the Society for the pagation of the Gospel. How correct was this view may be seen by a referenc the Calendars for both Provinces, which show the almost impossibility of obtai efficient clergy for the parishes as they were formed.

A commission was appointed to superintend the building of the Metropol Church at Quebec, and in June, 1800, the commissioners reported that they fixed on a plan and obtained estimates of the cost, which amounted to £4,925 19s lependent of several articles unprovided for. These were: the steps, the pu

reading desk and clerk's desk; balustrade before the altar; enclosure walls; pay of master mason. In the report it is stated that the extent of the building necessary for the accommodation of the congregation, civil and military, had not been exceeded, nor was the material used other than a proper degree of stability demanded. The Commissioners, it continues, "have not aspired to ornament, but have directed their "views merely to decent simplicity." (Q. 85, p. 198.) The dimensions of the proposed church were to be 130 feet long, 60 feet broad, and 34 feet high from the basement. (P. 200.) The Commissioners further represented that the estimate so far exceeded the means at their disposal, that a more ample sum in the first instance, had become necessary, the additional expense caused by frequent interruptions to the work would, they hoped, excuse them from the charge of presumption. Sir Robert Milnes, in forwarding this memorial, supported its prayer, having already in his letter of 12th November, 1799, (No. 11), when he submitted the names of the Commissioners forewarned the Colonial Secretary that little could be effected from private contributions, and that in the climate of Quebec, it was necessary to advance a considerable sum the first year, so that the building might be in a sufficient state of forwardness to secure it from being damaged by the inclemency of the winter. (Q. 84, p. 4.) He represented also, in his letter of October, 1800, the "singular attention" paid by the Lord Bishop and the other Commissioners to keep the expense down to the lowest point possible. (Q. 85, p. 196.) Should the grant, he continues, be restricted to £400 a year, the time occupied in completing the building, at the cost shewn by the estimates, would be twelve years. In the meantime the foundation had been laid and some part of the additional materials purchased for continuing the work, these operations having been rendered possible by the payment to the Commissioners of £800, that is the allowance for two years. In January, 1801, the Colonial Secretary, in view of the enhanced cost that would be caused by delay, authorized Milnes to advance such larger sums as he might think proper to enable the work to be completed without interruption, but His Grace repeated, "I must observe that as the King's bounty on this occasion was intended to encour-"age and accompany the exertions of His Majesty's Protestant subjects in Lower "Canada, it is expected that such a proportion of the estimated expense of building "the church will be defrayed by them as their circumstances may reasonably enable "them to afford for the completion of a work so important to their interests and so "worthy of their liberality." (Q. 86–1, p. 10.) No result, so far as appears in the correspondence, or a result so trifling as not to be noticed, followed this appeal.

On the 7th of April, 1802, the Commissioners sent a second report, showing the greatly increased cost over the first estimate, owing to want of experience in the erection of buildings of that kind, together with the additional expense of living and the consequently enhanced price of labour. This representation was forwarded by Milnes, who corroborated the statements contained in it, and in view of the importance he attached to the completion of the church proposed to continue the larger payments over the first limitation, as authorized by the Duke of Portland's letter of the 6th of January, 1801. (For this letter see Q. 86–1, p. 10, in which the month only is given). In accounting for the laxity of the Protestant population to contribute towards the expense of building the church, the Lieutenant-Governor's letter of the 17th of May shows the policy of the British Government to have been to place the Church of England on the footing of the Established Church in Canada, to which, it was hoped, all the protestant inhabitants would adhere. This is only one,

however, of many evidences, of such a policy. After pointing out the important advantages that would result from putting the church establishment on a respectable footing, as one reason for continuing the advances, the letter continues: "It "may be proper here to remark to Your Lordship that a great proportion of the "Protestants in Lower Canada are not of the Established Church, and that the circum- "stances of those who are, will not enable them to contribute by voluntary sub- "scriptions such a sum to the present building as might materially lessen the advances "looked for from Government. But although a majority of the Protestants are not "declared members of the Church of England, yet there clearly appears so general a "disposition to conform to it, that I consider the probable event of uniting His "Majesty's Protestant subjects of all descriptions in one communion, as by no means "the least advantage to be expected from putting the establishment upon its proper "foundation." (Q. 88, p. 150).

On the 28th of April, 1803, another memorial was sent from the Commissioners with statements showing the cost incurred and still to be met. The first statement shows the amount expended for the various services, materials, workmanship, &c., and it may not be uninteresting to local historians to know the amounts expended for stone from the different quarries. Up to the 31st of March, 1803, the stone from Cape Diamond cost £496.6.6; from Beauport, £78; from Ange Gardien, £547.11.8; from Pointe aux Trembles, £825.10; and from Cap Rouge, £182.18.6. The total cost to that date was (actual and estimated for one month) £15,059.5.10 currency, or £13,553.7.3 sterling, the amount still required to complete the building being estimated at £2,551.5.3 currency, or £2,296.2.8¾ sterling.

The dimensions previously given, as those intended for the building, do not agree with the declared statement which accompanies the present memorial. The dimensions there given, as may be seen by reference to a previous paragraph, were to be: length 130 feet, breadth 60 and height 34 from the basement. In the detailed statement these were stated to be respectively 135 feet, 73 feet and from the ground to the top of the cornice, 42 feet 6 inches, with a tower and spire of a total height from the ground of 152 feet, but the depth of the foundation walls to the ground is not stated. All the other dimensions, the parts of the building in which the different qualities of stone had been used &c., are minutely detailed, and the causes of the great additional expense to that first estimated is stated.

To the erection of this church was attached so much importance from an ecclesiastical point of view that no apology seems to be necessary for the length of the remarks on the subject, and the light in which it was to be regarded was one looked upon by the Anglican Bishop with great anxiety. In a letter from his Lordship, given in full in note C, the following considerations are submitted to the Lieutenant-Governor: "I would beg to suggest the necessity of determining whether the Church "now building at Quebec shall be considered as really a Metropolitan or merely as a "parochial church, if a Metropolitan church whether it can consistently be left "without a Chapter? without a portion of that dignity which should constitute its "appropriate character." And further on, as may be seen by reference to the letter reappears the assertion of the policy of uniting all Protestants with the Church of England, which the establishment of a Cathedral and Chapter, the Bishop believed, would do much to bring about. For the answer to this letter, forwarded by Milnes to the Colonial Secretary, reference may be made to Lord Hobart's letter of the 9th of January, 1804, printed in full in note C, page 22.

On the 14th of August, 1804, Sir Robert Milnes wrote (Q. 94 p. 231), that the church would be completed for consecration in the course of the month, and that the Bishop requested a verger might be appointed to be paid £30 a year by Government, a request which was promptly acceded to. A return, only noted, in Q. 97, p. 50, shows the incomes of the Protestant clergy. The Rectors of Quebec and Three Rivers received a salary of £200 each without any extra allowance, the same for Montreal, with £80 from the parish, William Henry (Sorel) £100, with £50 from the Society for the Propagation of the Gospel, and the evening lecturer at Quebec £100. These salaries, especially that to the Rector of Quebec, were considered to be inadequate, and Sir Robert Milnes urged strongly that an increase should be granted, as the Roman Catholic Curates [curés, that is rectors] had twice, many of them four times the income of the Anglican clergy, who were most of them married men, whereas the former not being permitted to marry had no families to maintain.

For further correspondence on the general topic of ecclesiastical affairs in Lower Canada, reference may be made to the calendar, in which full abstracts are usually given of the letters on the subject, of the establishment of the Church of England as a National Church for Canada, which in subsequent years led to long and embittered controversies, ending in the secularisation of the Clergy Reserves, and the complete severance, by legislative enactment, of all connection between Church and State.

Reverting for a moment to the more local history of the Metropolitan Church in Quebec, the correspondence shows that the Commissioners in 1802 asked, what they believed to be in accordance with the ordinary practice upon the erection of new churches at the respective seats of Government in the several Provinces of America, for a gift by the King of Communion plate and altar cloth, with a Bible and Books of Common Prayer for the Governor, the Lieutenant-Governor, the members of the Privy Council and the officiating clergyman, hoping that the first Cathedral Church which had ever been erected in America would be gratified with marks of the royal favour and protection, hitherto bestowed on parish churches on their first establishment. Almost by return mail, a despatch from the Colonial Secretary of 5th October, 1802, (Q. 89, p. 102) informed the Lieutenant-Governor that the King had been graciously pleased to comply with the request, and that the Treasury had been desired to take the necessary steps to have His Majesty's wishes carried out. In January, 1803, the Lieutenant-Governor acknowledged the receipt of the despatch, and asked that a pulpit cloth might be added to the objects already specified, at the same time sending the dimensions of the various cloths asked for. In August, 1804, the gifts had not yet been received, and it was not till July, 1808, that a letter, covering the invoices, was written, stating that the packages containing the gift had been ordered to be sent to Portsmouth for shipment by the first ship of war sailing for Quebec. The invoice of Messrs. Rundell, Bridge & Rundell gives a complete description of the plate sent, but the date, not given in the invoices for the Prayer Books, &c., and for the altar and other cloths, gives an interesting view of the official delays of the period. In October, 1802, the order was given to have the gift prepared. Messrs. Rundell had their part of the order completed in February, 1803, not an undue delay, as will be seen by an examination of the description. In July, 1808, five years and five months after the completion of the work, orders were given to send the packages to Portsmouth for shipment. On the 18th September, 1809, Governor Craig wrote that the gift had not been received and feared some accident had occasioned the extraordinary delay. Precisely when the delivery was made

does not appear from the correspondence, but Mr. Barrow, Secretary to the Admiralty, wrote on the 18th December, 1809, to the Treasury, that Captain Heneker, of H. M. S. "Mermaid," had informed him that the plate for the Lord Bishop of Quebec had been delivered to him through the Governor-in-chief, when is not stated, but a reference to the log of the "Mermaid" among the Admiralty Papers in the Record Office shows that she had arrived at Quebec on the 2nd of November, 1809, the inference being that the gift was delivered a day or two after her arrival, fully seven years having elapsed from the date the order was given. The invoice of Messrs. Rundell, Bridge & Rundell is in these words:

"A rich chased service of Communion Plate for the Metropolitan Church at "Quebec.

"A very superb octagon salver with chased device, in the centre in high relief, "of the Lord's Supper, with Our Saviour & the twelve Apostles & the four Evan- "gelists chased out in compartments on the border, with elegant fluted antique "borders & ornaments with the Arms and Supporters of His Majesty and those of "the See.

"A pair of superb Altar Candlesticks with rich chased devices & cherub in the "corners, elegant large tripod feet with His Majesty's Arms, the Arms of the See & "Glories chased out in compartments, chased devices of Rams' heads & winged "Beasts' paws at the corners of the base.

"An elegant circular shaped Salver on chased foot, with Glory in centre chased "fluted borders and kneeling Cherubims at the sides, with the Arms of His Majesty "and those of the See.

"2 large elegant chased Flaggons for Wine, with antique vine leaf borders & "Cherub handles, fluted ornaments of King's Arms, Glories &c.

"2 elegant antique Chalices with pattens for covers, vine leaf ornaments, chased "borders and Arms, Glories, &c.

"A wainscot case to contain the whole partitioned and lined with white leather, "Iron clamps to do, Brass name plate, &c."

The altar cloths, &c., were on an equally liberal scale, being all of crimson velvet and gold and no expense seems to have been spared for the Bibles and Prayer Books, but no price is given in any of the invoices.

On the 6th of November, 1802, a petition was presented from "His Majesty's "faithful subjects of the Congregation of the Church of Scotland in the City of Quebec," signed by the Rev. Alexander Spark, the minister, and by the members, to the number of 150, praying for a site for building a church and a grant of land for an endowment, the ground of the application being that they were "Members of and "united to the National Church of Scotland," and the petition concludes with the hope that His Majesty might consider a small portion of these waste lands properly bestowed, when granted for the maintenance of a branch of a National Church acknowledged and protected by His Majesty. In supporting the prayer of the petition, the same line of policy, always held in view to make the Church of England the National Church of Canada again appears. Sir Robert Milnes says: "Permit me to "add, that in my opinion the affording to the members of the Church of Scotland "the means of erecting a separate Place of Worship, will be no obstacle to the gradual "and general conformity to the established Church, of which I expressed a hope in "a former dispatch, on the contrary it appears to me that a rejection of their appli- "cation in this particular, might rather tend to strengthen their prejudices against "a union so much to be desired." The memorial to the Lieut.-Governor, asking that the petition might be forwarded to the King, was signed by a Committee, described as deputed by the Congregation of the Church of Scotland. A similar petition for a site on which to build a Church for the *Congregation de Notre Dame* was presented

by Mgr. Plessis. After some delay in consequence of difficulties arising from the choice of a site within the walls, both petitions were granted, the sites for both being on the land forming part of the Jesuit College grounds in the upper town of Quebec.

In the Report for 1891 are some remarks, with a report on the subject of the marriage laws of Upper Canada, in which there was only a brief reference to the correspondence, but the documents calendared in this volume give additional details of matters in Lower Canada, as viewed by the Anglican Bishop, and seem to call for some remark. In his letter of the 24th of October, 1804, the Lord Bishop of Quebec states, that to legalise certain marriages celebrated in Lower Canada by dissenting ministers and justices of the peace, two bills were introduced into the Council, one by himself to give effect to these marriages, the other by the Chief Justice for the relief of Protestant dissenters professing the religion of the Church of Scotland. Copies of the bills as originally introduced are appended to the letter from the Bishops (Q. 96, pp. 171 &c.). The bill, as it was finally assented to, is in the volume of the Statutes passed during the session of 1804, and may be compared with the two original bills introduced into the Legislative Council, which are in Q. 96, pp. 209 and 213 respectively. The preamble to the bill introduced by the Chief Justice sufficiently indicates its scope and object. It is in these words: "Whereas the Church of Scotland is by law "the established Church of one of the three Kingdoms, the union whereof forms the "Mother Country of this Province, and whereas it is reasonable.....that His Ma- "jesty's subjects resident in this Province and professing the religion of the said Church "should have the full and free exercise and enjoyment of the same," &c. The bill proceeds to enact that all restrictions now imposed on the ministers of that church concerning the celebration of marriage and other ecclesiastical functions should be removed. A substantive bill was also introduced recognising the status of the Church of Scotland as an established Church in Canada, with all the rights which that implied. A reference to the Journals of Assembly for 1804 will show that the principle on which the bills of the Chief Justice were framed was adopted by the Assembly, but rejected by the Council, on the grounds stated in the letter from the Bishop: "Both these bills (that of the Bishop and that of the Chief Justice) passed "the Legislative Council ... .the former of these which was an enacting bill and "which contained temporary provisions for the celebration of marriage in certain "parts of the Province, where there are no resident Protestant Ministers, the "Assembly, in opposition to the decision of the judges, endeavoured to transform "into a declaratory Act, and mutilated it of everything but the clause that "went to legalise past marriages. The last was purposely so changed as to make it "impossible for the Legislative Council to adopt the amendments without virtually "establishing the Church of Scotland in this Province.. .. By this proceeding the Min- "isters of the Church Scotland have been refused the privilege of solemnizing marriage, "and many thousands of His Majesty's subjects in the new settlements are deprived of "the means of entering into the marriage state, unless they travel a great, and to them "almost an impracticable distance." Beyond legalising past marriages it will be seen by reference to the Act that no remedy was applied and that the restrictions on the celebration of marriages &c. continued to exist in full force.

The want of clergymen of the Church of England in Upper Canada engaged the attention of the Bishop of Lincoln, who used every exertion to obtain competent men to supply that want, but with very indifferent success in England. In Canada, the Bishop of Quebec had little hope of a supply, few of those born there,

he said, being so educated as to fit them for the office and still fewer of those who came to settle. Places of worship of the Church of England were few. A sum of £1,000 sterling was granted by Parliament in 1795 and 1796 for the building of churches in Upper Canada, these were to be erected at Newark (Niagara), York (Toronto), Cornwall and Sandwich.

The appropriations, stated in General Hunter's letter of 20th May, 1802, were for Sandwich £200, Niagara £100, York £300, New Johnstown £200, and Cornwall £200, an addition, as will be observed, of New Johnstown to the four previously mentioned. But up to that time only Sandwich had been in a position to draw the allowance of £200 and the £800 of a balance lapsed but was afterwards re-voted.

Bishop Strachan filled so important a place in Canadian politics that a notice of his first settlement in Upper Canada can scarcely be omitted. In a dispatch from General Hunter to Lord Hobart dated at Quebec, the 4th of August, 1803, he writes: "I have appointed the Reverend John Strachan, who was lately ordained here by "the Lord Bishop of Quebec, to be the Resident Minister of the Church of England "at Cornwall, in the Eastern District of Upper Canada, in the room of the Reverend "James Sutherland Rudd, removed to a living in the Province of Lower Canada." (Q. 296, p. 251.)

In the report on Archives for 1890 (Note C) are copies of correspondence respecting the Fur Trade printed in full; this correspondence as that in reports of 1886 and 1889 may be read in connection with the present remarks. The correspondence in the report for 1890 was brought down to 1785, although in previous reports information was given of events subsequent to that period, after the original associated partners had separated into two companies, known respectively as the N. W. and the X. Y. Company, a separation which took place in 1798, both companies being hostile to the Hudson's Bay Company as well as to each other. This state of hostility and the unregulated competition which prevailed led to acts of violence, attended with consequences which were of a lamentable nature. The condition of affairs in the North-West became, in fact, almost intolerable, so that shortly after the formation of the two independent companies efforts were made to bring about a re-union or to give such advantages to those who were prepared to join as would throw obstacles in the way of the others. In January, 1802, Sir Alexander Mackenzie who was in London for the prosecution of this object, laid proposals before Lord Hobart, the Colonial Secretary, for the establishment of a permanent fishery and trade in furs, &c., in the interior and on the West Coast of North America. In forwarding what he called "Preliminaries," Sir Alexander anticipated difficulties in bringing about the coalition of the two companies at Montreal. Those who declined to enter into the proposed company he suggested should be at liberty to do as they pleased, provided he obtained the licenses for carrying on the trade. In this way, he believed he could secure those whose personal exertions were essential, "indeed infinitely more essential than the capital of the others, since the former can "only be replaced by juniors successively growing up in the service, during a period "of six to ten years, whereas the latter and any larger sum that may be found "necessary can be raised at any time." (Q. 90, p. 37.) According to the preliminaries, it was proposed to form a supreme civil and military establishment on the island of Nootka, at King George's Sound, in latitude 50° north, with two subordinates, one in the River Columbia, latitude 46°, the other in Sea Otter Harbour,

latitude 55°. He proposed either a repeal of the Acts giving an exclusive right to the East India and South Sea Companies of fishery, trade and navigation in the Pacific Ocean and on the West Coast of North America, or failing that to obtain irrevocable and unlimited licenses from these companies, to carry on trade and fishing, and to establish factories and agents in Canton or elsewhere for the sale or barter of their imports or exports. Further, a clause provided for obtaining a license of traffic from the Hudson Bay Company, with a right to the latter to have a manifest presented and examination made at the first port of entry within the limits of its jurisdiction, but not at any other station or trading post. Reference has been made in the Report on Archives for 1889 and some account will be found in it of the establishment of trading posts on the Pacific for the prosecution of the fur trade with China, &c. (Report 1889, p. xxxiv.) The project of establishing a communication between the Atlantic and Pacific had long been a favourite idea with Sir Alexander Mackenzie, as shown in his account of his voyage to the Frozen Ocean and other publications and documents. It may not, therefore, be without interest to quote in full the fourth clause of the "Preliminaries," with the observations on that clause. He desires Government to constrain the Hudson's Bay Company:—

"To grant these licences to a company of British merchants, to be established in London under the name of "The Fishery and Fur Company," which company for the purpose of combining the Fishery, in the Pacific with the Fur trade of the Interior from the East to the West Coasts of the Continent of North America would at once equiping (equip) whalers in England, and by means of the establishments already made and in activity at Montreal on the East and advanced posts and Trading Houses in the Interior towards the West Coast to which they might extend and where other establishments to be made at King George Sound, Nootka Island, under the protection of the Supreme Government and on the River Columbia and Sea Otter Harbour under the protection of the subordinate Governments of these places, would open and establish a commercial communication through the Continent of North America between the Atlantic and Pacific Oceans to the incalculable advantage and furtherance both of the Pacific Fishery of America and American Fur Trade of Great Britain, in part directly and in part indirectly, through the channel of the possessions and factories of the East India Company in China, &c., it being perfectly understood that none of these maritime or inland establishments shall be made on territory in the possession of any other European nation, nor within the limits of the United States of North America or of the Hudson's Bay Company."

The observations on articles three and four need not be given in full; the principal parts may, however, be quoted. In reference to the demand for license for traffic, to be granted by the Hudson's Bay Company, the proposal states the reason:

"On the ground that the right of transit between the Mother Country and her Colonies, through her own proper Territory and Colonies, is an attribute of Sovereignty neither surrendered nor meant to have been surrendered to the Hudson Bay Company, according to its charter, the exercise of which is not desirable on any principle of Political Economy, while it is necessary and would be highly beneficial as being the shortest way to and from countries without its limits for the purpose of facilitating the intercourse between Great Britain and those Countries, in the Exchange of the manufactures of the former for the raw products of the latter."

In his observations on article 4, Sir Alexander says:

"There are at present two companies at Montreal, engaged in the North American Fur Trade, both of which are chiefly composed of men, who by personal exertions, no less hazardous than laborious and persevering, have contributed to the extension of it into formerly unknown parts; and who, if not the only men able to extend it to the Pacific are at least the most likely to succeed, as the best qualified to undertake it.

"These companies have not heretofore had an idea of embarking in the Pacific Fishery, but if they should succeed in combining the Fur Trade of the East with that of West, they would find it highly beneficial to combine the latter, if not both, with the Whale Fishery," &c.

Sir Alexander Mackenzie did not, however, succeed in forming his company.

On the 25th of October, 1802, he wrote to Mr. Sullivan, evidently smarting under a sense of disappointment that his exertions had been fruitless. The papers he sent would, he said, show that he had not succeeded, as also the improbability of his being able to succeed in bringing about the union of the two fur companies, recommended by Lord Hobart as the first step towards the accomplishment of his favourite project. "Without the aid of Government by granting the licences to one "of the contending Parties, with the condition that the othe r Party should have the "option of sharing, in the proportion of the Trade they might then be carrying on "to that part of His Majesty's Dominions, I see no means of bringing about a coali- "tion for several years to come by which time the trade may be reduced, if not "ruined, and the opportunity of making the Western establishment lost perhaps for "ever."

In a letter addressed to Mr. Ryland, the Lieutenant-Governor's secretary, by Mr. Richardson (of Messrs. Forsyth, Richardson & Co.), dated the 21st of October, the relation of hostility between the two companies is clearly stated. The new company (popularly known as the X. Y. Company) was viewed, he says, by the old (the North West Company) with a jealousy and rancour improper in the subjects of the same Empire. He complains that among the means employed to give effect to these feelings, is the false and malicious impression they have made on the minds of the Indians, by which the lives of their associates, clerks and servants and the safety of their property were endangered. The Indians, he continues, had been incited to commit pillage and to fire upon the canoes of the new company; clerks were enticed away and then used to impose upon others; resistance to pillage led to fatal effects of which an instance is given and a continuance of such a state of affairs, he held, must lead to the most lamentable consequences. There is no desire expressed for a coalition of the two companies but, although not definitely stated, there is no reason to doubt, from the tone of the letter that the greatest repugnance was felt to the adoption of such a measure.

The dissensions between the two companies do not appear, in the beginning at least, to have had a prejudicial effect on the traffic, for on the 30th October, 1802, Milnes in a dispatch to Lord Hobart gives an account of the flourishing state of the fur trade, so far, he says, from diminishing it appears to increase, new tracts of country have been visited by the merchants employed in this traffic, which have furnished new sources of supply, a large proportion of the furs taken in the North West being brought to Quebec for shipment. The dispatch (No. 33) gives a large amount of information on the state of the fur trade under the French government and from the Conquest to the date on which it was written and may be referred to with advantage by any who are directing their attention to this subject (Q. 89, p. 144). The tables enclosed in the dispatch show, first, the names and numbers of the posts occupied in the Indian country (exclusive of the King's posts), the number of partners, clerks and men employed, the latitude and longitude of each post being also given. The grand total shows that there were 117 posts, 20 partners, 161 clerks and interpreters, 877 common men, in all of a permanent staff 1058 men, thus divided,

95 in the territory of the United States from the south side of Lake Superior to the division of the waters falling into the Mississippi on the one side and Hudson's Bay on the other; 76 on the waters falling into the St. Lawrence from the Kaministiquia, and also from the St. Maurice; 630 on the waters falling into Hudson's Bay, and 257 on the waters falling into the North Sea by the Mackenzie river. Besides these there were 80 or 100 Canadians and Iroquois hunters, not servants, ranging free over the country and about 540 men employed in canoes on the Ottawa river. The average duties paid annually on landing in Britain amounted to upwards of £22,000 sterling and the price paid for the furs exported from Quebec in 1801, at the London sales, was £371,139.11.4.

The despatch was received on the 29th November, and on the 15th of December the Colonial Secretary desired Lieutenant-Governor Milnes to give early consideration to the subject of establishing a chartered company, and to communicate his ideas fully thereon (Q. 89, p. 178.) In September, 1803, Sir Robert Milnes forwarded to Mr. Sullivan, Under Secretary, a statement by the North West Company, showing the great exertion the company had made to open up new means of communication. The letter is calendared at some length and the important part of the company's memorandum given in full, so that it is only necessary to refer to them (Q. 92, pp. 283 and 286.)

The table, of which an abstract has been given, shews that in the territory of the United States 95 permanent men were employed by the NorthWest Company. In order to put a stop to this trade the Superintendent of Indian Affairs for Upper Louisiana issued a proclamation on the 25th of August, 1805, forbidding the entry of traders or others into the River Missouri, not being citizens of the United States of America, imposing the obligation on all British traders of abjuring their allegiance or to be excluded from the trade, and they were apprehensive that the same measure would be adopted to put a stop to the whole trade west of the Mississippi, which would ruin them. They complained still more that the proclamation was issued at the very time they had arrived at St. Louis, after having paid the duties at Michilimakinak, the frontier post, and that no warning of such restraint was given, the restriction being practically a confiscation of their goods. Even transit was virtually prohibited to the trading grounds, as the canoemen, engaged to transport the merchandise, would not be allowed to navigate the river, so that other men, citizens of the United States, must be employed at a ruinous cost. The proclamation they held to be a violation of the Treaty of amity, between Great Britain and the United States, and Mr. President Dunn in forwarding the complaint to Mr. Merry, the British Minister Plenipotentiary at Washington, took the same view of the step as being a violation of the third article of the Treaty of 1794, and particularly of the stipulations of the explanatory article of 4th May, 1796. These stipulations are well known, but the evidence of the two articles referred to as bearing on the complaints of the traders should be considered side by side with their argument for entire liberty of trade with the Indians. The words of the memorial from the traders are:

"That by said treaty" (of amity and commerce), "the trade with the Indians within the territory of Great Britain and the United States respectively is declared to be open and free to the subjects and citizens of their respective Governments, and no distinction whatever is made, because of the allegiance which such subjects and citizens owe and ought to bear to their particular Governments."

The third article of the treaty of 1794 (known as Jay's Treaty), provided that it should at all times be free to His Majesty's subjects, to the citizens of the United

States and to the Indians dwelling on either side of the boundary line, to pass and repass by land or inland navigation into the respective countries of the two nations (the Hudson's Bay territory being excepted) to navigate the lakes, &c., and "freely to carry on commerce with each other."

The treaty concluded by Pickering with the Indians in 1795, provided that no person should be permitted to reside as a trader at any of the towns or hunting camps of the tribes with whom the treaty was made, who is not furnished with a license for that purpose under the authority of the United States. This stipulation excited doubts whether in its operation it might not interfere with the execution of the third article of the treaty concluded a year previous, and to remove these doubts the explanatory article was added to that treaty. The article, after the formal introduction as to motive, &c., sets out that the Commissioners appointed to settle its terms "do by these presents explicitly agree and declare:

"That no stipulations in any treaty subsequently concluded by either of the contracting parties with any other state or nation, or with any Indian tribe, can be understood to derogate in any manner from the rights of free intercourse and commerce secured by the aforesaid third article of the Treaty of amity, commerce and navigation to the subjects of His Majesty and to the citizens of the United States and to the Indians dwelling on either side of the boundary line aforesaid, but that the said persons shall remain at full liberty freely to pass and repass by land or inland navigation, into the respective territories and countries of the contracting parties on either side of the said boundary line, and freely to carry on trade and commerce with each other, according to the stipulations of the said third article of the treaty of amity, commerce and navigation."

A comparison of the claims of the traders with the terms of the treaty will enable a judgment to be formed of the justice or otherwise of their representation. Mr. President Dunn transmitted the complaint to Mr. Merry, the Minister Plenipotentiary, but informed the Colonial Secretary, to whom he had sent a copy of this letter and of the memorial, that it did not appear that the Indian Superintendent (Wilkinson) was acting under the directions of the United States Government. On the 20th of February, 1806, the Lords of Trade addressed a note to Sir George Shee, Under Secretary, to know what representations had been made by the Lieutenant-Governor to the Secretary of State on the subject of the complaint by the traders, but so far as the documents calendared in this report extend, there is no record of the result of the representation made by the merchants. Mr. Inglis, a Canadian merchant in London, anticipated, however, that the Government of the United States would justify the procedure by alleging that the district in question was not their territory when the treaty was made.

The want of jurisdiction in the Indian Country, as the territory was called which was the scene of the operations of the fur traders, allowed crime to go unpunished, and numerous representations were made in respect to the evils of this practical immunity from punishment. In Sir Alexander Mackenzie's letter of the 25th of October, 1802, he says, in view of the improbability of the two companies amalgamating, that as speedily as possible, a jurisdiction should be established to prevent the contending fur companies from abusing the power either might possess, so as to secure to each the fruits of fair, honest and industrious exertion; it would also, he believed, tend to put a stop to the increasing animosity between the two companies. Mr. Richardson, of the other company, also pressed for the establishment of a competent jurisdiction and instanced the case of one of the clerks in his company who had killed a clerk of the other in defending the property in his care. The young

man had come to Montreal to be tried, but there being no jurisdiction there for such trial, "he remains in the deplorable predicament that neither his innocence nor his "guilt can be legally ascertained." He also proposed that a military post should be established at Thunder Bay, on Lake Superior, as an additional means of securing peace.

The Grand Juries of Quebec and Montreal had repeatedly called attention to the want of jurisdiction; as they are all substantially to the same effect, it is sufficient to quote that made by the Grand Jury of Montreal in the Session of 1802. In this the number of people from the Canadas, chiefly from Lower Canada, was urged as one reason for establishing in the Indian Country a court of competent jurisdiction for the trial of offences committed in these territories, including Hudson's Bay. The presentment states, that in these territories "there does not exist a tribunal for the "cognizance of crimes or criminal offences and consequently no accusations for offences "of that nature committed therein, either by persons from the Canadas or otherwise; "the offences (for the want of such a Tribunal) cannot be tried in the Territory "where the facts were committed, nor are they cognizable in either of the Canadas, "although immediately adjoining thereto, from the operation of the general princi- "ple of English jurisprudence that criminal offences which shall have happened "*beyond* their limits, cannot be enquired into by any Tribunal *within* such limits; "consequently in such cases no remedy appears to exist but such as is applicable "under the special statute of the 33rd Henry 8th, chap. 4, by the issuing of a special "commission in England by His Majesty, where alone the facts can be legally en- "quired into and decided upon by a competent Court and Jury." No jurisdiction, or one so distant as to be practically inaccessible, he held, had been a great incite- ment to crime, whilst on the other hand innocent men might be unjustly accused without any means of vindicating their character. These points are enlarged on and the conclusion arrived at that courts of competent jurisdiction for the trial of offences committed in the Indian Country should be established in the Canadas. (Q. 293, p. 239.)

Sir Robert Milnes in his letter of 30th October, 1802, (Q. 89, p. 144), strongly supported the representation of the Grand Jury, and added that

"Under such circumstances every species of offence is to be apprehended from Trespasse to Murder and also that the national character of the English will be de- based among the Indians, and that the numerous tribes of those people will in con- sequence thereof be more easily wrought upon by foreign emissaries employed by the Enemies of Great Britain." (See also Q. 89, p. 162.)

In consequence of these representations Lord Hobart in his despatch of 1st December, 1802, (No. 13, Q. 89, p. 170) promised that immediate steps should be taken to remedy the existing state of affairs, but Milnes became impatient for a decision as, writing in September, 1803, to the Under Secretary, he reminded him of the promise, the great increase and extent of the fur trade rendering such an Act daily more necessary. (Q. 92, p. 283.) The Act to give jurisdiction to the Courts of Upper and Lower Canada had, however, been assented to on the 11th of the pre- ceding month (11th August, 1803, 43 George III., Cap. 138) and under it several cases were tried. The preamble stated that crimes and offences had been committed in the Indian territories, &c., and that from the want of jurisdiction in any of the Provinces "great crimes and offences have gone and may hereafter go unpunished "and greatly increase," the enacting clause being the offences committed in these

territories, &c., "shall be tried in the same manner and subject to the same Punish-
" ment as if the same had been committed within the Provinces of Upper and Lower
" Canada." In the course of a letter by Mr. Coltman forwarding his report on the disputes between the Hudson's Bay Company and the North-West Company, he attributes the disasters in the territories to the Hudson's Bay Company having held in abeyance its right to jurisdiction and that this neglect was the reason for passing the Act just quoted. (The whole of Mr. Coltman's report is in Q. 151, the report with correspondence filling entirely that volume.) Doubts having been raised as to the powers of the Courts under the Act 43 George III., a further Act to remove these was assented to in July, 1821. (1 and 2 George IV., Cap. 66.) The union of the North-West with the Hudson's Bay Company took place about this time and the disorders arising from their competition ceased, but these events belong to a later period than that now under consideration.

The transfer of the control of the Indian Department from the military to the civil authority caused a considerable amount of friction. In Upper Canada, according to a letter from H. W. Ryland, the Indian Department was, at that date (31st January, 1800, Q. 85, p. 328), entirely under the control and management of the Lieutenant-Governor, but in Lower Canada was entirely under the direction of the Commander-in-chief, so much so, that Major Deschambault had been dismissed from his office as Superintendent of Indian Affairs, because he had been appointed a Provincial aide-de-camp, although the two employments were perfectly compatible, and an officer in the Canadian Volunteers had been appointed, whose regimental duties conflicted with those in the Indian Department. This state of things was, however, changed shortly after, instructions having been sent in July that the civil governor was to take over the administration of Indian Affairs in Lower Canada as was the case in Upper Canada, and Sir Robert Milnes understood that this change was to make no alteration in the payments necessary in the administration of the department, that is, that these should be made from the military chest. General Hunter, commanding the forces, took an opposite view, holding that he as Commander-in-chief had nothing to do with Indian Affairs, the expenses of which were to be defrayed from the civil revenues. General Hunter at the same time refused to issue provisions and other articles required for the Indian service and stopped all barrack and other allowances heretofore drawn by the officers of that department. Milnes relied on the instructions sent to Prescott when the management was transferred to the civil administration in Upper Canada, but Hunter answered that these were addressed to Prescott as Governor-General of British North America and, therefore, did not apply to him. (Q. 85, p. 224.) Differences of opinion also arose as to the patronage in the department, the Duke of Kent having laid claim to the power of appointment, both in Lower and Upper Canada. On the 23rd February, 1801, Sir Robert Milnes in his dispatch to the Duke of Portland (No. 43, Q. 86–1, p. 132), stated that in room of Mr. Bunbury, he had appointed Lieut.-Colonel Deschambault, then deputy superintendent of the Abenaki and St. François Indians to be deputy agent for Indian Affairs in Lower Canada, Major de Salaberry to succeed Colonel Deschambault. The Duke of Kent as Commander-in-chief, held that the patronage was vested in him, but it so happened that the appointment he wished to make of Major de Salaberry was that which had actually been made by Milnes for the same officer, so that an immediate conflict of claims was avoided. But Sir

Robert points out at the same time the prejudice that might have arisen to Lieut.-Colonel Deschambault's interests, had the Duke's claim been established before another situation had been found for the incumbent of the office in question.

The Duke had a more pronounced dispute with General Hunter, respecting the appointment of Colonel Connolly to the office of Deputy Superintendent General of Indian Affairs for Upper and Lower Canada, from which he was superseded by General Hunter, as Governor. In 1799, the Duke of Kent had appointed Colonel Connolly, displacing Captain Claus, who had had long experience in the Indian Department. Governor Hunter, in reply in December to the notification of the appointment informed the Duke that the removal of Captain Claus and the appointment of Colonel Connolly would be highly prejudicial to His Majesty's service (Q. 287-1, p. 21), and at the same time wrote to the Duke of Portland, practically stating that he would not recognize Connolly and had sent his orders to Sir John Johnson to that effect. On these representations the Duke of York wrote to the Duke of Kent to cancel Connolly's appointment, which was accordingly done, much to the displeasure of the Duke of Kent, who still maintained his right to the patronage, but finally the claim was abandoned, the practice relied upon by the Duke, in the case of his predecessors in the office of Commander-in-chief having been changed when the control was taken from the military and vested in the civil authority.

The disputes of the Six Nations on the Grand River, respecting their lands were aggravated by the occasional ebullitions of Joseph Brant, who when under the influence of liquor does not appear to have been guarded in the tone of his language. One of these outbursts led to a formal complaint against him, but Claus was satisfied on investigation that the dispute had ended, and that the expressions complained of were made "when he was in liquor and in a passion, to a party opposed to him and his measures." (Q. 295, p. 26.) Much more serious were the claims of these tribes to dispose of their lands without control, and it was only yielding to their wishes and whilst adopting the official regulations that the lands must be transferred first to the Crown, which agreed to give titles to the purchasers from the Indians without reserve, that peace was maintained, but a notice was issued "that no cases which "have been or shall be granted or pretended to be granted, by or under the author-"ity of any Indian Nation will be admitted or allowed of." (Q. 298, p. 44.)

The Grand River Indians being dissatisfied with the state of their affairs, the question was referred to a Committee of Council, which reported on the Indian lands sold by Mr. Russell, under the circumstances just stated. From this it appears that no trust had been properly created and no security given for the fulfilment of the obligations taken by the grantees, and it was recommended that suits should be entered against each of them to enforce the conditions contained in the grant. The letter and enclosures are voluminous and may be referred to (Q. 299, pp. 140 to 163.) In June, 1804, Captain John Norton (Teyoninhokarawen), furnished with introductions, proceeded first to Edinburgh to solicit the assistance of Lord Moira in advocating the claims of the Six Nations, but was by His Lordship sent to Lord Camden, as the proper authority to hear and consider the claims. Norton presented a memorial to Lord Camden accordingly, which after setting out their services and the forfeiture of their lands within the limits assigned to the United States by the treaty of 1783, continues: "In this situation Capt. Brant and other chiefs and warriors of the Six Nations "made application for a grant within the British Province of Upper Canada, and His "Excellency the late General Haldimand granted to them and their posterity the Grand

"River or Ouse from its source to its entry into Lake Erie, extending six miles on each "side of the river and forming a space of land about a hundred miles in length by twelve "in breadth." The memorial continues, that on the establishment of civil government when deeds were issued to the loyalists, Brant and other chiefs applied for the same, but the deed was so limited that they declined to accept it. Complaint is made that the lands tranferred to Government with the express condition of being granted to the purchasers from the Indians were still retained and that the tribes are not allowed to lease their lands, a permission which would be a great benefit to the more industrious among them, and the request was made that they should be confirmed in possession of the land according to the original grant. An important clause of the memorial may be quoted in full:

"Were every tribe and family to have their several portions confirmed to them, there is not the smallest doubt, that the major part of the Six Nations, more than one-half of whom remain within the American line, would soon remove to their brethren, now in the British territory, which can be expected from the present unsettled and undecided nature of their grant, and possession."

The subject was referred to Hunter for a report, but the answer deals only with the lands sold by Russell, reference to which has already been made. (Q. 299, pp. 140 to 163.) Norton was advised to leave London and the matter would be attended to, but he declined on various grounds, the chief being that he was unwilling to return until some settlement had been made. He was thus enabled to present another memorial to the Privy Council in September, to which reference may be made (Q 299, p. 329, see also letter to Lord Camden, p. 336). In May, 1805, Norton was still in London pressing the claims of the Six Nations, and had been advised to bring the case before Parliament, but eager as he was "to promote the good of my country," he did not wish his ignorant zeal to lead him into irregularities. (Q. 303, p. 95). By the end of May, Norton appears to have given up hope of an early settlement and proposed to return to Canada. In his letter stating this proposal, Norton enclosed an extract from a letter of D. W. Smith the Surveyor-General, which is rather vague, the grant he says, as well as he could recollect, was to be six miles on each side of the Grand River, "and to prevent too much intricacy by the "windings of the river, a general course was agreed upon by the Indians at the old "land board." (Q. 303, p. 104). On the 22nd of June following, Norton wrote again to Mr. Cooke, Under Secretary, stating that Lord Dorchester had expressed himself in these terms: "That should it be necessary for the satisfaction of the Five Nations "that the terms of their grant from Sir Frederick Haldimand be enlarged, His "Lordship would readily concur, but not to have them curtailed on any account "whatever, that he saw no reason why the Five Nations on the Grand River should "not have the same right to lease their lands and receive tenants thereon as the "people of Caughnawaga and Lake of Two Mountains." In the meantime advices were received from Upper Canada, that the Indians had disavowed Norton's proceedings and had signed documents that they were satisfied. These declarations he alleged to have obtained by unfair means and entered into a long and elaborate statement on the subject, to which it appears to be only necessary to refer. (Q. 303, p. 125).

On the 14th of March, 1806, Chief Justice Allcock, in a letter to Sir George Shee, gives his opinion on the rights of the Indians over the lands on the Grand River, which sets out the case clearly from his point of view, and to which reference should be made, the Chief Justice having been Chairman of the Executive Council

by which the case was considered. His belief, which he briefly states, may be given in his own words. After stating that he had carefully examined all the documents to be found on the subject and had given it his most deliberate consideration, he says :—

"I have no difficulty in bringing my own mind to the conclusion, that these lands had been set apart by Government as Hunting Grounds for the Indians, with the fullest liberty also to cultivate and use any part of them at their pleasure and that the Government stood pledged not to grant these lands to any other persons or permit any act to be done by which the Indians could be disturbed in the quiet possession of this large tract of land, or suffer any of the white people (as the Indians call them) to break in upon them. At the same time I conceived no act had been done on the part of the Crown, which could be construed to invest the Indians with any power to lease those lands, much less to sell the inheritance."

He then gives an account of the causes which led to Government consenting to sell portions of the lands; that the price should be secured by mortgage, with interest at six per cent to be distributed annually among the Indians and the money arising from this interest was invested in the three per cent consols for their benefit, the first investment amounting to £9,244 5s. 11d. Reference may be made to the Minutes of Council of 13th August, 1806 (Q. 308, pp. 252, 255) which contain an account by Claus of the proceedings of a Council held by the Six Nations and report on the same by the Executive Council. An examination of the calendar of volumes Q. 309 and 310, will enable the inquirer at once to obtain the documents which give the information respecting the demands of the Indians, no settlement of which is shown in the papers now calendared.

The purchase of land belonging to the Missisauga Indians, between the township of Etobicoke and Burlington Bay incidentally throws light on the difficulties of communication in the Province in the early years of this century. The tract, it was estimated, contained about 70,000 acres, subsequently ascertained to contain upwards of 80,000 acres. The possession of this land was found necessary "not "only for the making of roads, but during part of the year for having any commu- "nication between the seat of Government and the western parts of the Province." The sum agreed on for the purchase was £1,000 currency, but Mr. President Grant recommended it to be increased to £1,700 for the reasons stated in his letter (Q. 303, p. 35). The provisional agreement, Indian Councils, &c., are in the same volume, pp. 38 to 56. The recommendation to pay the additional £700 was approved of and carried into effect during Gore's administration.

The policy of attaching the seigniors to the British Government by civil appointments had been urged by successive Governors, and a certain portion of the members of the Executive Council was almost from the beginning of British rule allotted to the French Canadians. This is so well established a fact as to require only to be referred to. A few commissions had been granted in the army, but these were very few and the pecuniary circumstances of the seigniors were not such as to enable them to expend the amount necessary to purchase commissions and to make suitable allowance for their sons, the pay of a junior officer being by no means equal to keeping up the appearance deemed requisite whilst associating with his brother officers. A quotation from the letter of Sir Robert Milnes (Q. 89, p. 172) dated on the 30th October, 1802, and briefly summarized in the calendar, may not be without interest, as it gives a glimpse of the services of a family, one of whose members gained so brilliant a victory at Chateauguay over the United States troops during

the war of 1812. "At the earnest request of M. de Salaberry, who was major of the "1st Battalion of Royal Canadian Volunteers, I am induced to solicit your Lordship's "recommendation of his son Maurice de Salaberry in order that he may obtain an "Ensigncy in any Established Regiment in the Service. The Father of this young "Gentleman is of one of the best Families in this Country, he served during the "American War" [the Revolutionary War] "and was wounded at St. John's; and "I cannot but think it might be of considerable advantage if the sons of the Cana-"dian Gentry could be introduced into His Majesty's Regular Service. The elder "Brother of M. de Salaberry, through the Interest of His Royal Highness the Duke "of Kent, obtained a commission in the year 1794, and is now a Captain in one of "the Battalions of the 60th Regiment in the West Indies, where he has been ever "since, and the Gentleman whom I have the honour to recommend to Your Lord-"ship was an Ensign (as well as his younger Brother) in the Canadian Volunteers, "but his Father is not in circumstances which enable him to purchase for him." The result of the application does not appear in the correspondence, so far as that is calendared.

The disadvantages arising from the want of a Court of Equity in Upper Canada were frequently and strongly represented. In July, 1801, Mr. Justice Allcock wrote to Mr. King, Under Secretary, that a bill for its establishment was in preparation, and in August following, General Hunter transmitted the draught of the bill, representing the urgent need that existed for such a court, and that it was necessary, at the same time to have a qualified judge appointed as Chancellor, it being requisite that he be possessed of the knowledge to fit him for instructing the Bar and officials in their duties, the knowledge of the law among the practitioners being very limited, not one of whom had been within the walls of a Court of Chancery. He recommended Allcock, who had applied for the office of Chief Justice, in succession to Osgoode. The draught of the bill is in Q. 290–1, p. 96*a*, and observations at p. 107, the letter at p. 88.

In December, 1801, Allcock again wrote to Mr. King, reminding him that he had been promised one of the Chief Justiceships, as one of the conditions on which he had come to Canada, and this was the situation he preferred, but if the emoluments of Chancellor were made equal to those of the Chief Justice and he had a seat in the Legislative Council, he would accept the office of Chancellor, although the other was "infinitely the preferable situation." (Q. 293, p. 128.)

Hunter's letter, draught and observations were referred to a Committee of the Privy Council, which reported, that the institution of an office of Judge of the Court of Chancery distinct from the Chancellor was so novel as not to be adopted without very serious consideration. The clauses objected to are apparently those numbered 2 and 3 in the draught act. The Governor of Upper Canada, it continued, is by virtue of his commission vested with authority to exercise an equity jurisdiction to the full extent pointed out in Lieut. Governor Hunter's letter and can call for the assistance of any of the judges or law officers of the Province to frame regulations and to establish a table of fees, the latter of which must, however, be submitted for His Majesty's approbation. On the 15th of September, 1804, General Hunter refers to the disapproval of the draught act, and points out that no answer has yet been received in respect to the table of fees prepared according to instructions to be laid before the King, and adds that the necessity which had existed for establishing an equitable jurisdiction had largely increased, and that Mr. Allcock, then in London,

would be able fully to explain the position of affairs. (Q. 299, p. 140.) On the 14th of March, 1806, Mr. Allcock, who was still in London, wrote to Sir George Shee, Under Secretary, on the subject, and the words of the letter may be quoted with advantage. These are:—

"During the whole of my residence in the Province from the year 1798, cases were continually occurring, in which justice was completely disappointed for want of a Court of Equity. But, Sir, it must be evident to every man, who thinks on the subject but for a moment, that in our English Colony, where the law of England has been declared by the Legislature to be the law of the land, the occasions must be very numerous, in which a Court of Common Law cannot administer substantial justice. It is now fourteen years since Upper Canada has been erected into a Province, and as yet there has been no Court of Equity in it. Whilst I sat in the Court of King's Bench there, many verdicts were obtained against defendants, contrary to the equity of the case, in which a court of law cannot afford any relief, particularly in ejectment causes. There were many of these cases, in which the decree of a court of equity must, as a matter quite of course, not only have relieved the party from the verdict, but have arranged many other points in question between the parties, and which because a court of law could not interfere, remain to this moment undecided, to the serious injury of one (of) the parties and of consequence in failure of justice. The complaints of the King's subjects in Upper Canada that they had not an equitable jurisdiction to resort to, have been very numerous indeed, of which the late General Hunter heard very much and I very much more, and I had held out so many assurances for years (being authorized so to do) that a Court of Equity would soon be established, that I feared my assurances at last ceased to be much attended to. The merchants of Lower Canada, having very considerable debts due them in Upper Canada upon mortgages, complained loudly and very frequently that there was no jurisdiction in which they could foreclose these mortgages, and I believe they have more than once made the most urgent applications to the King's Ministers in England praying that an equitable jurisdiction might be established."

After referring to the disapproval of the bill which he had draughted, he says it was settled that on his return to Upper Canada he was to have sat with the Lieutenant-Governor to aid him in the business of a Court of Equity. Mr. Harrison of the Temple, to whom the letter was referred, expressed surprise that such a Court had not been established when English laws were introduced, but now, owing to the delay, the Lieutenant-Governor should be directed immediately to establish such a Court, taking on himself the office of Chancellor, calling to his assistance the Chief Justice or any of the judges he might think proper. The selection of any particular officer as an executive judge would, he held, involve increased present expense and no future advantage but the reverse. In January, 1807, Mr. W. Dummer Powell sent a memorandum on the subject, to which reference may be made, his remarks and proposals being introductory to his application for the office of Judge in Chancery, as the only magistrate in the country bred in a Court of Equity, and who had been largely concerned in settling land cases. (Q. 310, p. 31). On the 5th of August, 1807, the report of the committee was considered by the King in Council and approved of, disapproving of the draught Act for establishing a Court of Chancery, the Governor being already vested with sufficient authority to exercise an equity jurisdiction, &c. (Q. 310, p. 235.) No further documents on this subject are among those calendared in this report.

Mr. Justice Cochrane was appointed a puisné judge in Upper Canada in July, 1803, but he did not occupy that position for any length of time, as by the foundering of a vessel on Lake Ontario, not the first instance on record of such a casualty,

he and other officials and the whole crew perished. According to the account given by General Hunter, Judge Cochrane, Mr. Gray, the Solicitor-General, another gentleman of the Bar, and other respectable persons, sailed in H. M. S. "Speedy" from York (Toronto) on the 7th October, 1804. The total number on board, passengers, officers and crew, was twenty. The object of the journey was to hold the assizes in the district of Newcastle about half way down the lake. Writing on the 12th of November, five weeks after the vessel sailed, General Hunter said they had never since been heard of. "It is now beyond a doubt that they must have perished on "Lake Ontario, but no person hath survived to give an account of the time or the "manner in which this melancholy accident took place." The sea-going qualities of His Majesty's ships on the lake at that time must have been, to judge from this and other accidents, of a very inferior description, and to justify the title given to the old ten-gun brigs, of being floating coffins. Nothing was heard more of the ship or her crew and passengers, and in the beginning of 1805 Mr. Darcy Boulton was appointed Solicitor-General in succession to Mr. Gray.

A reference to the calendar will serve to show that the condition of Upper Canada was improving, that roads were being opened up through the country, bridges built and markets established in Toronto. The statements of Mr. Justice Thorpe, therefore, these projects will show to have been greatly exaggerated, at least, as whatever may have been the deficiency in means of communication throughout the Province, efforts were made to improve them. In a country of such extent, so thinly peopled with a scattered population and limited resources, the utmost that could be done was to establish the main avenues of communication and in so far the evidence appears to show that these were not neglected. In 1804, it was felt that the time had come when the legislative business of the Province should be transacted in buildings more suitable than those used for that purpose. There was not, it was complained, a single building for any one public office; the offices were held in the private houses of the officers, the Executive Council met in a small room in the clerk's house where their discussions could be overheard, the buildings were of wood, unsafe for the preservation of records, and an annual rent was paid of £350. The two Houses of the Legislature met in the building used also for the Court of Appeal, Court of King's Bench, District Court and Quarter Sessions and for a church besides, the whole extent of the building containing only two rooms. Among the documents in series C, in the volume relating to the Civil Government of Upper Canada, is a letter from Edward Walsh, surgeon in the 49th regiment, containing an elevation, not unlike the building so long used, and ground plan, the cost of the building in wood and brick, it was estimated would be £1,000 sterling. In July of that year (1804) Lieut. General Hunter sent the estimate from Major-General Mann of the cost of the proposed buildings, towards which the Legislature had offered to contribute annually £400 sterling. The data upon which General Mann based his calculation was for a building of from 270 to 300 feet long and 36 to 40 feet broad; to be of plain, substantial and durable material, the walls of stone and the arches of brick, to be as far as possible guarded from accidents by fire; perfectly secure and dry vaults to be made for the offices requiring them for the deposit of public records; with rooms for the following services:—Legislative and Executive Councils, House of Assembly, Courts of King's Bench and Quarter Sessions, with proper offices to each; offices for the Secretary of the Province, Surveyor-General and auditor of patents for land. The

accommodation for the ordinary departmental offices, it will be observed, is not provided for. The cost at that date, as contrasted, not compared, with the new legislative and departmental buildings recently erected in Toronto at the sole cost of the Province, will give an idea of the progress that has been made during the period of little more than eighty years since the erection of the first public buildings.

The abrogation of the treaty of Amiens which secured a short peace, renewed the anxiety in Canada. War was declared by Great Britain with France and Spain and apprehension was felt, that hostilities were on the point of breaking out with the United States. The attempts of the French on Canada as shown to exist down to 1797, in the Report for 1891, scarcely seem to have been relaxed even when the treaty was in force in Europe. In 1801, before the short peace, Lieutenant-Governor Milnes, in a separate and secret letter to the Colonial Secretary, transmitted information received from a certain Colonel Graham, to which neither he nor Major-General Barton, commanding at Montreal, attached much importance. Milnes, however, obtained information after Graham had left Quebec, which he had visited to have a personal interview with Milnes, corroborating previous information received from him as to the real destination of the arms brought by Ira Allen of Vermont in the "Olive Branch," which had been seized and was under trial before the Admiralty Court. A deposition respecting the secret meetings held in Vermont to concert measures for the seizure of Quebec, Ira Allen being implicated in the scheme, is in Q. 87–1, p. 161. Graham's information is printed in full in the report for 1891, taken from the series C of the Archives, but there being no signature, the author's name was not known. The information is in two papers Nos. 28 and 29 of Note D in that report, pp. 83 and 84. On the 16th of September (1801) Milnes reported additional corroboration to the information furnished by Graham, that persons were plotting for the subversion of Canada. A society composed, to use the words of the Lieutenant-Governor, of "a parcel of Americans," had been formed in Montreal, proceeding on the principles of Jacobinism and Illuminism, having one Rogers as the leader, who, it was believed, was the only one acquainted with the real objects of the society, which had increased from five to sixty-one members. Six of these were arrested, and held for trial, but Rogers escaped. The Attorney-General (Sewell) to whom the matter was referred, made a long report on the subject, the text of which is in Q. 87–2 beginning at page 383. A few extracts may, however, be given here. The McLean, mentioned in the first extract, was executed for high treason on the 21st of July, 1797 (see report on Archives for 1891, p. xlii). The society spoken of by Milnes, "was formed of sundry individuals of desperate fortunes and among them "were many of the persons concerned in McLane's conspiracy, particularly Ira "Allen and Stephen Thorn, who were then lately arrived from France." An account is then given of Rogers, a schoolmaster from New England who had settled a short time before at Carillon, about 40 miles west of Montreal. The pretext on which he founded the society was to search for treasure, but the Attorney-General concludes from all the circumstances that the society was formed on the model of the propaganda established by the Jacobins of France in the countries of which they desired to obtain possession. Some of the depositions which accompany the report speak unhesitatingly and strongly of the complicity of Ira Allen in this conspiracy and that his object and that of the marauders whom he had collected in Vermont

was not so much the possession of Canada, as the opportunity an invasion presented for obtaining a large amount of plunder.

According to the letter of the Lieutenant-Governor of the 28th October, 1801, this was the main motive of the Vermont adventurers, and if his statement be borne out, that not a single Canadian name was found amongst the list of conspirators, the evidence of its wholly foreign character would be proved and the belief of Sir Robert Milnes that Ira Allen was an emissary of the French Jacobins be fully confirmed. The apparent inaction of the Magistrates of Montreal, coupled with the exaggerated reports of the extent of the conspiracy, caused the greatest alarm, police associations were formed of the respectable inhabitants, General Hunter deposited, at the request of Milnes, 600 stand of arms for the use of the militia, who had been reviewed by the Lieutenant-Governor in different parts of the Province to the number of 12,000 men. In the course of his tour he had the satisfaction of observing the loyalty of the Canadian militia, so that he ventured on his return to Quebec to issue an order for one-eighth of the militia in and about Montreal. The response was instant and hearty. Sir Robert says, and the words are worth quoting: "The Canadian militia have not only shown themselves willing to come "forward in the numbers required, but have volunteered to increase that number to "any amount whenever Government may require their assistance." The precautions taken and the preparations, which could not be concealed, to meet any attack were successful; in November Milnes wrote that the schemes in the Province had been "done away," and from all the accounts received from Lower Canada and Vermont, he was in hopes that no further schemes of that nature would at that time be formed. On the 31st of July, 1802, he published the proclamation of the restoration of Peace (the Treaty had been signed in the preceding March) and that he had ordered a day of thanksgiving for the blessings it conferred. It was evident, however, to the statesmen of Europe, that Bonaparte, who in August, 1802, had been elected Consul for life, had no intention of maintaining permanent peace, but aimed at universal conquest, and in May of 1803 the British Ambassador left Paris, a step followed by a declaration of war. Even whilst the peace subsisted, the French republicans were making efforts to obtain possession of Canada, for on the 1st of June, 1803, long before any steps consequent on the declaration of war could have been taken, emissaries from France were in the Provinces, bent on sapping the loyalty of the inhabitants. On the 5th of May, a week before the British Ambassador left Paris, six or eight men, holding commissions from the Republic of France, were reported to be at Chambly; these men had been officers with Humbert, in the intended attack on Ireland, and they seem to have made no concealment of their uniforms, which were green and gold. Several of them had gone to Montreal, taking names different from those by which they were known in Chambly, and they openly avowed their hostility to the British Government in Canada. A letter from Mr. Auldjo, then in London, dated the 15th of March, 1803, gives warning that Bonaparte is sending emissaries to Canada. Two are specially named, Mr. de Léry, an officer of French artillery, and M. Villtray or Villeray, he is not sure which, a Canadian born, who was in Philadelphia and Upper Canada last summer, but was afraid to come on to Lower Canada. Mr. de Léry would come on pretext of seeing his friends. Further, Judge Panet sent extracts from a letter to his brother by M. Imbert, who had left Canada at the time of the conquest and was now settled in France, informing him that the French as earnestly desired to repossess Canada as

they did to obtain Louisiana. The Judge points out that by a sudden dash the French might succeed in taking possession of Canada, if favoured by the Canadian *habitants*, and that a strong military force was necessary to restrain the disaffected and to encourage the friends of Government. The extracts given by Mr. Justice Pasquet from these letters, are of importance as showing in a clear light the feelings of the French people and corroborating the information sent to the Provincial Government respecting the presence of French emissaries in the Province. I translate:

"I may tell you that I continue to preserve an attachment for the country in which you live, so great that I wish to see it return to the government of the French, regarding it as a colony essential to trade and as an outlet for merchandise and for men, it would constantly furnish the means of speculation which would improve the futures of the citizens whom war and revolution have reduced to wretchedness. I believe the well thinking in your colony would be glad to see again their former compatriots travelling on their Continent." *

This letter is not dated, but is believed to have been written a little before the peace.

The letter from which the next extract is taken was written on the 12th of January, 1803, and may also be given in full. Both show the motives, which, partly at least, actuated those who were urging the policy of regaining Canada, the opportunities for speculation being strongly accentuated in both letters as of immense consequence for the French.

"I had for a moment the hope that the First Consul would have redemanded this Colony at the time of the general treaty of peace, as he had flattered me he would do in a reply I received from him, when informing me that he had sent my memorial to the Minister of Marine, to make use of on that occasion. I have observed with pain that the definitive treaty took place without reference to this question. There were, however, many reasons for not losing sight of so important an object, especially having treated with Spain for the Mississippi, which has returned to France. What a difference it would make as an outlet for the products of France, and for giving the means of speculation to an infinite number of Frenchmen, who have no resources in their own country.†

These extracts will serve to show that the precautions in Canada were not taken without sufficient reason and that the reports of emissaries being in the Provinces were not mere idle gossip, originating in the heated brains of terrified visionaries.

A new militia bill was passed during the session of the Legislature of 1803, to take the place of Lord Dorchester's Act of 1796, which had been carried with difficulty through the two Houses and had ever since that time remained a dead letter. But Milnes in a letter dated 10th June, 1803, expressed his apprehensions that the provisions of the Act of 1803 would require great caution and management to carry them into execution, owing to the weak state, in point of numbers, of the regular

* "Je vous dirai que je conserve toujours un attachement pour 'le pays' que vous habitez, au point que je voudrois le voir rentrer au pouvoir des François, le regardant comme une Colonie très essentielle pour le commerce et comme un débouché de marchandizes et d'hommes, qui auraient sans cesse des moyens de speculations qui ameliioreroient les futures des citoyens que la guerre et la revolution ont reduit à la misère. Je pense que les hommes qui pensent bien dans votre Colonie seroient fort aises de revoir leurs anciens compatriotes voyager dans leur Continent."

† "J'ai eû un moment l'esperance, que le 1er Consul auroit rédémandé cette Colonie lors du Traité general de la paix, comme il m'en avoit flatté par une réponse que j'avois reçû de lui, en m'annonçant qu'il auroit envoyé au Ministre de la Marine mon memoire pour en faire usage dans l'occasion. J'ai vû avec peine que le traité définitif a eu lieu sans qu'il en ait été question. Il y avait pourtant bien des raisons pour ne pas perdre de vuë un objet aussi important, surtout ayant traité avec l'Espagne du Mississippi qui est rentré à la France. Quelle différence pour un debouché des denrees de France, et pour donner des moyens de speculation à un nombre infini de François, qui n'ont point de ressources dans leur propre pays.

military force stationed in the Province. He believed, however, that the new Act afforded better means for a closer connection between the masses of the people and the executive authority, and would continue to review the militia, seeing the good effect that had already produced. He had also encouraged the formation of Volunteer companies, three of which were already embodied at Montreal, clothed at their own expense. Three more were about to offer at Quebec and one at Three Rivers, so that he had great hopes that the backwardness to serve in the militia would be gradually got the better of. He suggests that at a subsequent period additional pecuniary help should be afforded by the Imperial Government towards the objects in view, that is, strengthening the defences of the Province, but in the meantime the issue of arms from the King's stores would be sufficient. A fortnight later (24th June, 1803) in a letter to Lord Hobart, (Q. 92, p. 16), marked "Secret," Sir Robert enters into greater detail of the state of affairs. The last communication he had received at that date was a circular and proceedings in Parliament in March, but the indications these documents afforded, pointed so strongly to a renewal of the war with France, that he considered it necessary to take preparatory measures to meet such a contingency. He proposed to revive the Alien Act, in view of the belief, apparently well founded, that spies had been introduced into the Province. He also proposed to suspend taking any material steps towards carrying the Militia Act into force, "As in case of a war with France, it will not be the moment "to attempt any new measures" especially, as he repeats, with the small military force in the Province. Only two regiments, the Sixth and Forty-first, with a corps of Artillery were then stationed there, not exceeding 1,000 men in all, the garrison of Quebec consisting of the 41st with about 400 rank and file and about 190 of the Artillery. Although the Canadians were much more reconciled to the British Government than at any former period, and in event of a war with the United States would of themselves turn out, yet against the French it might be different, and the conduct of the lower orders depended greatly on the preponderance of a military force, to prevent them from joining the enemy at whose mercy they might believe themselves to be placed. He then discusses the probability of a dash being made by the French Navy up the St. Lawrence to capture the military stores at Quebec, which amounted in value to a million sterling, and such an attempt, seeing the temper of the present rulers of France, was one that might reasonably be apprehended. In the meantime a strict watch was kept on all suspicious strangers, and the consul general at New York communicated such information as reached him. Mr. Richardson, a magistrate of Montreal, was appointed secret agent, and seems to have conducted his operations with zeal and judgment. Among the agents employed by Mr. Richardson was a man named Rous, who had been notorious for assisting British soldiers, when deserting, but was not unwilling to accept service, for a consideration, under the British authorities. Mr. Barclay wrote on the 2nd of December, 1803, that Jerome Bonaparte, brother to the First Consul, Napoleon, had returned to New York on the 26th November, ostensibly for the southward, but intending, it was stated, to go to Albany, after spending a few days privately in New Jersey, and from Albany to communicate with the French in Lower Canada, and that it was probable he would go to the American line, near Lake Champlain, where a Frenchman named Rous lived, the same just mentioned, with whom McLean, who was executed, was particularly intimate. A close examination was made all along the frontier on Lake Champlain, and at Albany, but neither Jerome nor his companion had yet arrived, although expected at

Albany during the winter. (The description of both is given in full at page 215 of this Report). In February, Milnes wrote that no positive intelligence had then been obtained that the French Government had actually been tampering with dis-affected persons in Canada. The prosecution of the project to attack Canada, depending on the success of the French arms in Europe, and its abandonment for the present, seems to require a glance at the state of maritime affairs in France, the reason given by Pichon, chargé d'affaires at Washington, for the present abandonment of the attempt being that Great Britain was too powerful yet at sea. Early in 1803, even before the declaration of war, the most active measures were taken by the French and British to increase the efficiency of their respective navies. On the part of the former, Napoleon had ordered the port of Flushing to be ready to receive and equip a squadron of ten 74-gun ships, which were ordered to be immediately laid down in various French dockyards. Gunboats and flat-bottomed vessels were to be built along the Scheldt, the Weser and the Elbe; in Brest there were 21 serviceable line-of-battle ships; three ships were nearly ready in the port of L'Orient and two more were ordered. Similar activity was shown at all other French ports. The result of this was that France had soon a force of 66 ships, 47 actually afloat and the others in a state of forwardness for action. Napoleon had not anticipated that the outbreak of hostilities would take place before September, but, as already stated war was declared in May and most active measures taken to carry it on On the 17th of that month, Cornwallis sailed with a formidable fleet to blockade Brest, and other fleets were stationed at different points to watch the motions of the enemy. It is unnecessary to follow the course of events in 1803, the actions during the year not being of prime importance, the engagements being chiefly those taking place between detached cruisers, and not involving the fleets. It was during the year 1804, that Napoleon became emperor and that the invasion of the British isles was to be made, a project which was rendered abortive by the constant vigilance of the British naval commanders, and the observation of Napoleon himself of the disparity between the efficiency of the navies of the two nations sufficiently accounts for Pichon's statement to Rous, that Britain was too powerful yet at sea to admit of Canada being attacked. In the meantime every precaution was taken there to guard against any hostile designs that might be entertained and to watch carefully that no French spies should gain access to the Provinces without detection, and for this and other purposes Mr. Richardson secured the services of apparently two ex-spies of the French, certainly of one, Rous or Rouse, for the name is given in both forms, the name of the other is not stated, he being only mentioned as No. 2. So far as can be judged from the reports made by Mr. Richardson, Rous was the most efficient, as he obtained information from Genet, who had been French Minister at Washington, as well as Pichon, the chargé d'affaires, and no suspicion seems to have been entertained of the correctness of his information, the barbarities committed by the French soldiers at St. Domingo having, he stated, cured him of his wish to see the French in Canada. The person known as No. 2, reported that Fouquet who had been using incendiary language whilst passing and repassing by L'Acadie (a settlement near Napierville on the Richelieu), was in reality an emissary sent in by the French consul at Boston, and that it was he who had spread the report that the United States, having got Louisiana, where desirous to extend their boundaries to the St. Lawrence, in which they would be assisted by France. The policy of Jefferson, then President of the United States, is thus described by Mr. Richardson, a description corroborated by what may be found in Jefferson's correspondence of that date: "The present conduct of Jefferson in several instances is far from friendly, but he is too great a

" coward to risk an actual breach with Great Britain, unless the latter were to expe-
" rience serious injury from Bonaparte's invasion."

Rous (No. 3) also believed Fouquet to be a French agent, but had no belief in the invasion of Canada during that year. It was remarked as a coincidence which strengthened this belief, that Fouquet was about the frontiers at the time Jerome Bonaparte was expected. Of the propriety of making use of the tools whose employment he felt himself obliged to sanction, Milnes appeared to entertain some doubt, as he wrote what may be regarded as an apology beforehand for the course he was taking in this respect. " Considering," he says, " the smallness of the military force stationed in this Province, it appears to me of great consequence to secure such channels of information as may serve to detect and frustrate the more secret attempts of the enemy." (Q. 94, p. 34.)

In September, 1804, Mr. Merry, the British Minister to the United States, warned Milnes that a plot was in progress in both Provinces, the information being received from one Mathew Wing, a Canadian then settled in Saratoga County, New York. According to this informant, cattle and horses were being sent into the United States in large numbers, the proceeds of the sales of these to be used for the purchase of arms in Springfield, New England. The arms were to be prepared during the winter and conveyed to Lower Canada on rafts; part of the design was to seize the Governor, or Commander-in-chief when he should be on his route between Quebec and York in Upper Canada. General Hunter was at that time Lieutenant-Governor of Upper Canada and Commander of the forces in both Provinces. Wing also stated that one of the principal promoters of the intended insurrection (whose name he would not disclose) had furnished Jerome Bonaparte with all the information necessary for forming the plan of attack and had concerted with him to have a large ship loaded with arms at the expense of France, to sail under British colours, to be manned by Irishmen, to leave early in spring and to land the arms at Wolfe's Cove. From the tone of Mr. Merry's letter, it seems clear that he did not place too great reliance on Wing's statement, but sent it for what it was worth. Milnes in sending a copy of Mr. Merry's letter to the Colonial Secretary, stated that from the intelligence he had received from Rouse, employed as already mentioned in obtaining secret intelligence, he was satisfied there was not the smallest ground for believing Wing's statements, but he assured Mr. Merry that he would take steps still further to ascertain their truth. The account given by the Lieutenant-Governor to Mr. Merry of the feelings of the population in Canada at that critical time was reassuring. " I must," he says, " in justice to the Canadians observe, that the state
" of the country has never been more tranquil, and the deportment of the people
" throughout the Province more apparently loyal than it is at the present moment,
" and the knowledge I have of the character of the Canadians, who are naturally
" a very quiet people and much attached to their homes, leads me firmly to believe
" that they never would be induced to dispose of their cattle and horses for the pur-
" poses mentioned by Wing." The latter hypothesis was fully confirmed by the returns of the export of horses; with respect to cattle he never heard of any being exported to the United States from Canada. It was inevitable at a time of doubt and uncertainty as to the course that might be adopted, that such reports as that of Wing should be spread by people anxious to obtain money for furnishing information of plots which if they did not exist must be invented to secure a reward. That this was the fact in the case of Wing, admits of little doubt. Mr. Merry received

information concerning the alleged sales of horses and cattle which corroborated the statements of Milnes, although such corroboration was not necessary, and added the further contradiction to Wing's story of the extensive purchase of arms at Springfield, that no such purchases had been made, nor even any inquiry as to the possibility of obtaining them.

That the cause of the abandonment of the attempt on Canada was due to the naval superiority of Great Britain may be safely conjectured from the information brought by Rouse, sent specially to Washington to ascertain the French designs. That Rouse, in his capacity of spy, did his work well seems to be proved by the confirmation which events gave to his reports. Rouse, according to his statement to Mr. Richardson, obtained access to, and gained the confidence of the French Minister at Washington, from whom he learned that the French had no immediate designs against Canada and certainly none for that year (1805.) They had designs for obtaining possession of the Province, but when these would be carried into execution depended on the events of the war [in Europe.] The Minister's words, as reported by Rouse in respect to the fleet, were very emphatic: "They never will risk a fleet in the St. Lawrence further than to land troops, and then go to sea immediately after. The great efforts of the French squadron which may go to sea this year will be in the West Indies." In certain contingencies the squadron was to attack Jamaica, failing that to harass the other islands and to make an effort against the negroes of St. Domingo. In any case, the Canadians were to keep absolutely quiet, as in event of a serious movement word would be sent in sufficient season. Emissaries would not be sent into the country at present; many who went in before were adventurers who had done more harm than good. Cazeau, the new consul at Portsmouth, New Hampshire, would have charge of any expedition that might be intended against Canada; that the French general would consult with Cazeau as to the measures that might be adopted for an invasion, and the Minister gave Rouse Cazeau's address, to serve as an introduction, by which he could obtain all information regarding French designs. Mr. Richardson was inclined to believe in the correctness of Rouse's reports, and apparently with justice.

Pitt, who had assumed the reins of power, having effected treaties of alliance with Austria, Russia and Sweden, the only great power which combined with France was Spain, which declared war against Great Britain, of which Milnes was informed by a letter from the Colonial Secretary, dated on the 11th of January, 1805, received on the 19th May following, a proclamation announcing the declaration of war was ordered on the 22nd of May to be published in the official *Gazette*, and means were at the same time agreed upon between the Lieutenant-Governor and the General in command of the forces for the defence of the Province in case of invasion or of an internal rising, of which no great apprehension appears to have been felt.

From the beginning of the war comparatively large amounts were contributed by Canadians of all creeds and classes towards the funds necessary for its prosecution. Among the names in the first subscription list are those of the leading English-speaking merchants, who gave liberally, the French-speaking inhabitants being also worthily represented. The religious institutions and the clergy joined heartily in the movement, the Seminary of St. Sulpice giving £500 as a gift and engaging to contribute £300 annually during the war, the largest single contribution, the annual subscriptions of the others ranging from £5 up to £25. (Q. 85, pp. 321 to 324, the list beginning at the latter.) Some time after, Sir Robert Milnes forwarded the fol-

lowing letter from Lieutenant-Colonel de Longueuil, with bill of exchange for the amount mentioned. The letter, addressed to Sir Robert Shore Milnes, Lieut.-Governor, &c., is in these terms:—

"SIR,—I have the honour to enclose a Bill of Exchange on the Pay Master "General for Five hundred Pounds sterling, with my humble request that Your "Excellency will be pleased to transmit the same to His Majesty's Treasury, as a con- "tribution from the officers and privates of the 1st Batt. of Royal Canadian Volun- "teers, towards the support of the present war. I am very respectfully, &c."

The victories at sea over the French navy had the effect of securing peace for some time, and during that period no great alacrity appears to have been shown in volunteering for military service, the danger seemed so far off and the probability of its near approach very slight. But as soon as the indications were that the United States had some intention to enter the field, the martial spirit that was latent became aroused, and Colonel Isaac Brock, who was then in command of the forces, expressed no doubt of being able to raise an efficient force in both Provinces, to whom arms might safely be entrusted. In view of the unfriendly acts of the United States Government, Brock believed that the result of the discussion then in progress would settle the question of peace or war. War was at least possible and the weakness of the Provinces for defence was notorious. In Lower Canada the whole number of militia then armed and "anyway instructed," did not exceed 300 men; as many thousands, he conceived, could be easily selected and formed into corps. The fortifications at Quebec, too, were so decayed as to be unable to stand an enemy's fire. He, therefore, called on the civil government to assist in remedying this defect, which would require the work of 600 to 1,000 men daily for from six weeks to two months, besides a vast number of carts, etc., the garrison being altogether inadequate to attempt such work. The reports of the officers of Engineers show that throughout both Provinces the same ruinous state of the fortifications existed. Should war with the United States take place, Brock believed that no serious attempt would be made before May, but unless the works were finished by October, they must be discontinued and not resumed till May, when it would be too late to complete them for defence. Should the work be done by October, there would be time to arm and form the inhabitants into some kind of order. On the 25th of July, Brock's letter (dated the 17th) was reported on at once by Council, and the determination arrived at, it appears best to give *in extenso*:—

"That in the absence of all information from either His Majesty's Ministers of State, or from His Majesty's Minister Plenipotentiary resident in America, or from any source other than the affair between the "Leopard" and "Chesapeake," and the Proclamation of the President of the United States, the Board feels itself totally incompetent to form any well-founded opinion on the probable events to result from the recent occurrences stated in Colonel Brock's said letter, consequently the committee is obliged to leave the question upon the probability or improbability of a war breaking out between the two countries, to be judged of when future official communications or the acts of either of the Powers shall furnish the means of forming a judgment thereon.

"If the Executive Government should by any means become possessed of information, or of any Facts or circumstances which should induce an Inclination of opinion that Hostilities were likely to commence between the two Powers, the Committee doubts not in such case Your Honour would feel yourself called upon and would show yourself most cheerfully disposed to co-operate with all the Energy the Executive Government possesses with Colonel Brock in attaining all the objects he has or may have in view. In the meantime the Committee begs leave to observe that Colonel Brock must be fully aware of the means he possesses in his situation

Commanding the Troops, of calling in aid to the Garrison by hiring labourers and workmen, if in his Judgment the Exigencies of the present Case require it, without any concurrence on the part of the Civil Government, to this might also be added that Voluntary assistance which Colonel Brock suggests would be cheerfully given."

A reference to Dunn's letter to Castlereagh will throw some additional light on the course of the Council. (Q. 104, p. 140.)

The affair between the "Leopard" and the "Chesapeake" has been so fully discussed from both sides, that there is no need to speak of it here except to remark that before any representations had reached the British Government from the Government of the United States the act was formally disavowed by the former and reparation offered, an act not met with the return on the part of the United States which it ought to have received. Vice-Admiral Berkeley who had issued the order to search the "Chesapeake," was recalled, and every indication of friendship manifested.

Whether on account of the resolution of the Council, or for other reasons, Brock declined to accept the responsibility of commanding the troops in Upper Canada, a position assumed by Francis Gore, the Lieutenant-Governor, although he held no military rank. The position of Gore, as it appeared to him from the most recent information that had reached him, was most critical. Vice-Admiral Berkeley wrote him that war with the United States was inevitable. A categorical demand had been made for the renunciation of the right of search, which if refused was to be considered a declaration of war; the Vice-Admiral believed it to be impossible that the British Government could accede to such a demand. "The return of Mr. "Munroe" (Monroe) he says, "or the messenger from England will probably be "the signal for war," and added that if Canada should be taken there was a secret agreement that it was to be transferred to the French, or erected into a separate kingdom to be governed by a Frenchman.

Upper Canada was in a still more defenceless condition than Lower Canada, but Gore had, even before the receipt of Berkeley's letter been taking measures for defence. He had ordered provisions for the Indians to be thrown into Amherstburg and St. Joseph's, and called a general council of the Western Nations to meet at Amherstburg. By the time it met he presumed the question of peace or war would have been settled. But there was a deficiency of arms for the militia. Brock had sent only 4,000 stand from Quebec, so that it was decided not to call out any of the force, and of regular troops there was only 400 men, being the 41st Regiment and a small detachment of Artillery to guard an immense territory accessible at all points, the imaginary line being the frontier between Canada and the United States.

It was under these circumstances, as stated elsewhere, that Sir J. H. Craig was selected to fulfil the actual, instead of the nominal, offices held by Prescott, of Governor and Commander-in-chief of the Provinces. Before sailing he communicated his views on the defences, in a note, in which he expressed doubts whether an effectual resistance could be made to an attack at any other point than Quebec; even there Lord Castlereagh was doubtful if a prolonged resistance were advisable. He approves, so far as can be judged, of the formation of independent companies of Canadians, officered by gentlemen of the country, as preferable to more numerous corps, though their efficiency could only be tested by experience; asks to what extent he is to take measures to complete the defences of Quebec; desires to have two armed vessels, as necessary for the service of the river and requests that authority may be given him

to direct the Lieutenant-Governor of Upper Canada in the general policy with regard to the United States and as to all movements of militia and volunteers in that Province, and generally to every object connected with a state of hostility, so that the general force should be under one uniform system. (Q. 104 p. 153.) A second note, undated, calls attention to the necessity that may arise for the transference of the control of Indian affairs from the Lieutenant-Governor of Upper Canada to the Commander-in-chief, the note concluding with these words: "In event of hostilities "with America, the line to be observed with regard to the Indians will become an "object of the most important consideration; they must be restrained or encouraged "to action as may be judged most expedient at the moment or as the conduct of the "Americans themselves may render necessary. Of (as?) this, as every other part of "the war will fall under his responsibility, he is desirous of being the judge; he can- "not feel satisfied, while liable to be led by engagements entered into by others "without his concurrence."

Sir J. H. Craig arrived in Quebec on the 18th of October, but from illness did not take the oaths of office till the 24th. A muster, which, to use his own expression, they call a review of the militia was held and he was told that, except in a few cases, the disposition was commendable, but on that head he could express no opinion of his own. No return of the actual number present was made, but it was estimated that with the 5th Battalion, ordered to hold itself in readiness, there would be a total of 37,000 militia. Military stores were, however, entirely insufficient. Of small arms only 7,000 were in store, Upper Canada had lately received 4,000 or 5,000 and demanded more which could not be spared; an additional supply of 7,000 was wanted. There were no accoutrements; without them no selected body of militia can serve effectually or will serve otherwise than with disgust and dissatisfaction. About 10,000 are wanted in Upper Canada, which is in the same condition as the Lower Province. Of flints the supply even for the regulars was insufficient, not to speak of the militia; of these 250,000 were wanted, as also a supply of blankets. (Q. 106, p. 5.) The letter shows clearly how unprepared Canada was at this time for defensive, far less for offensive operations.

The opinion of Mr. Joseph Bouchette, the Surveyor-General of Lower Canada on this point is, however, entitled to great weight, as he not only knew thoroughly the topography of the country, but was intimately acquainted with the feelings and sentiments of the population of Lower Canada. Writing to Mr. Cooke, the Under Secretary for the Colonies, he calls attention to the proposal to place General Moreau, at the head of 6,000 men, for the purpose of attacking Canada, in event of war with the United States, and expressed his belief that no one was better calculated than Moreau to lead such a force, but he proceeds, and the result of the war of 1812 showed how correct were his prognostications: "I conceive he can "have but a very little chance of succeeding, as a much greater force will be "required to ensure the Americans any degree of success whatsoever. If they "talked of fifteen or twenty thousand men, divided as follows, I should feel more "alarm, that is to say, six or seven thousand men headed by General Moreau to pro- "ceed to Montreal, an equal force to go up the Kennebec River and down by the "River Chaudiere to take post before Quebec, erecting batteries opposite to the "town at Point Levy, and three or four thousand to go down by the River St. "Francis, with an intention of forming a junction with Moreau's army at Three "Rivers in case of his success in taking Montreal." But even with this formidable

demonstration, he does not believe in the successful result of such an enterprise, but the contrary, should proper steps be taken. "By augmenting the military force in "the two Canadas to ten thousand strong, if no more can be spared, added to about "twenty or twenty-five thousand active militia in Lower Canada, and about twelve "or fourteen thousand in Upper Canada, besides Indians, the Americans would find "it a very difficult task to take either of the Provinces, but more especially Lower "Canada. With respect to Upper Canada, they have more in their power and less "militia to oppose them, and also the advantage of turnpike roads leading to the "different garrisons which they at present occupy on the frontier, a circumstance "highly in their favour. Nevertheless, I am convinced that by a judicious distri- "bution of the troops and militia of that Province and augmenting the naval force "on the lakes, added to the state and commanding position of Fort George, situated "on the west side of Niagara River, a most powerful resistance can be made, and I "trust that time will show that Canada is not so easy a prey to the Americans as "they consider it to be." (Q. 106, p. 507.)

Even before the arrival of Craig, preparations were actively carried on in anticipation of hostilities. The muster, or review, of the militia reported on by Craig, had been ordered by Dunn; Gore who had taken charge of the forces in Upper Canada, thought it his duty to pay a visit to Montreal, to meet and consult with Brock as to the arrangements necessary for the protection of Upper Canada. Colonel Brock told Sir Francis Gore "unceremoniously" that the responsibility lay with him (Gore). No account is given of the subsequent conference, but it seems not improbable that it was as a result of this that the preparatory steps already referred to were taken. Gore also reported that it was impossible to say what the "sovereign People" in the United States would do. Emmett was very busy and had some warm friends in the Province. The threatened war, however, did not take place then, nor till the date of Madison's administration in 1812.

The description given by Brock of the ruinous state of the fortifications was by no means exaggerated. In 1805, Lord Chatham (the second Earl, who was Master General of the Ordnance from 1801 to 1806), sent a confidential letter to Lord Camden on the defences of Quebec, but those desirous of studying the subject should refer to the letter itself with its enclosures in Q. 99, pp. 206 to 225*a*. It was in reference to the works on these defences that the correspondence betweeen Brock, Dunn and the Executive Council took place, which has already been mentioned.

Fort Erie, in the then state of transit was regarded as an important point for defence, being at the head of the communication between Lakes Ontario and Erie and essential as a temporary depot of all the provisions, stores and merchandise which passed up and down these lakes. Colonel Mann reported that the fort was completely in ruins, and that temporary repairs could no longer be resorted to. These had kept a part of the building from falling entirely to pieces, but what time and decay had failed to accomplish had been completed by a storm on the 6th of January preceding, and the whole was now in ruins, except one stone building constructed in 1797. Colonel Mann estimated that the fortifications and buildings would cost £9,649 3s. 0d. Colonel Mann's report, with a plan, is in Q. 296, following Hunter's letter at p. 257. The approval of the report was communicated by the Colonial Secretary on the 9th January, 1804, and the work ordered to proceed.

The fortifications in Lower Canada were in an equally bad condition, but it may be sufficient to refer to Major-General (formerly Colonel) Mann's reports, with the

accompanying plans. For St John's, on the Chambly, and Montreal see Q. 299, pp. 72, &c., plans at 81*a* and 81*b*, for Quebec pp. 82 to 105. For reserves for military purposes at Montreal see, pp. 114, &c. With the letter of the 15th of January, 1805, are reports of surveys, returns, &c., of all the military stores, a study of which, with that of the reports on fortifications, will give very complete information respecting defensive preparations in the Canada of that period.

The maintenance of the walls round the City of Montreal was felt to be a great inconvenience and disadvantage, and frequent representations were made to the Executive Government on the subject. So far back as 1791, General Mann, then a Captain of the Royal Engineers, reported that whilst in the infant state of the colony, the works round Montreal were useful as a protection against the Indians, they were no longer required for that purpose, and that their ruinous condition made them rather a nuisance than a benefit. Part of the material of the walls he recommended should be preserved, the rest to be used for filling up the ditch, or for any other purpose in the re-forming of the town. Citadel Hill, he considered, should be levelled and barracks built on part of it, or by levelling the hill to an easy slope Notre Dame street might be opened to the Quebec suburbs, forming a good entrance and a great improvement to the town. The cross streets should lead to the mountain and a road be preserved along the front of the river, which in time would form a fine quay or promenade. The whole report may be studied with advantage by local historians. (Q. 86-2, p. 277.) In July, 1793, Mr. Dundas approved of the removal of the walls, but directed Lord Dorchester to ascertain whether the owners of the adjoining property had or had not the right, as they maintained, to have their property extended on the removal. In 1797, Prescott, Lieut.-Governor, informed the Legislature that the petition for the extension of property consequent on the removal of the walls had been granted, desired the Assembly to take measures to prevent litigation between owners past and present and stated that the officer commanding Royal Engineers would be directed to prepare a plan of the town and fortifications, which would show the reserves proposed to be made for the use of the Crown. The bill for this purpose, prepared by the Attorney-General and transmitted to the Colonial Secretary is in Q. 86-2 in English at page 290 and in French at page 318. In November (1797) the Colonial Secretary wrote that the bill had been received and would be returned with such directions as might be necessary, which were sent in August, 1798. In 1801, a bill for the removal of the walls, in accordance with these last directions, was passed by the Legislature, with some amendments, but reserved by Sir Robert Milnes in case any further consideration in a military point of view might be thought necessary. This, and two other reserved acts, were assented to by His Majesty without change or modification, a decision communicated to Milnes on the 6th of May, 1802, and on the 10th of June, 1803, a proclamation was issued giving effect to the reserved bills. A plan of the town and fortifications of Montreal at this period (1802) is in Q. 299, p. 81*b*.

On the 6th of June, 1803, a destructive fire took place in Montreal. It broke out in the house of a man named Chevalier in St. Lawrence Main Street, on the north east side, toward the upper end. The wind was high and variable; the houses and outhouses on both sides of the street soon took fire. At a quarter to four the roof of the gaol was burning, soon followed by the English Church on the north-east and

the Roman Catholic Chapel on the south-west side. These, to use the words of the report by the magistrates, were "instantaneously consumed." It was with difficulty the Court-house was saved. Besides the gaol and two church buildings, the Roman Catholic college and eleven houses were burned in the lower part of the town. About ten o'clock at night the fire was under control, at the house adjoining that occupied by Mr. Justice Ogden. In the suburbs, where it originated, the fire was extinguished by sunset, after destroying thirteen houses, besides outhouses, stables, &c. Other fires followed during the summer, of so alarming a character, that it seemed evident they did not arise from accident but from design and a reward of £500 was offered for the apprehension of the offenders. With the exception of the first, which took place in June, these fires broke out during the first week of August, and the magistrates offered a reward of £250, making with that offered by the Governor £750 for the detection of the criminals. The succession of fires is thus reported. On Monday, 1st August, a little after one in the morning, fire broke out and consumed two houses; on Tuesday morning at 6 o'clock, a stable was discovered to be on fire, but was pulled down, and the fire extinguished; on Wednesday several houses were burned, one man killed and a number more or less seriously wounded. On Friday other fires broke out, entirely destroying a number of houses, and it was with difficulty the lower part of the town was saved from a serious conflagration. Patrols were established and precautions taken to guard against a repetition of the fires. Nothing further appears in the correspondence in relation to this subject.

Another fire may be noticed here, that of the Convent of the Ursuline Nuns at Three Rivers, on the 2nd of October, 1806, of which, however, no details are given.

In accordance with instructions, from the Hon. John Carling, then Minister of Agriculture, I proceeded to London, which I reached on the 18th of October last for the purpose of continuing investigations of the documents relating to the Dominion. Since that time I have been daily at work on the examination of the papers, but it is not yet sufficiently advanced to permit of a satisfactory report being made.

The whole respectfully submitted,

DOUGLAS BRYMNER,
Archivist.

31st December, 1892.

List of Books, &c., presented, with the Names of the Givers.

Abbott, Hon. J. J. C.	Ottawa	Case of Labrador Co.
Almon, Senator	Halifax	Cochrane Correspondence.
Buckingham, Wm.	Stratford	Hon. Alex. Mackenzie, his life and tim
Fraser, John	Montreal	Historic Canadian Ground.
Historical Manuscripts Commission		Volume VII.
Inter-State Commerce Commission.		Statistics of Railways in the United St
Keefer, T. C.	New Edinburgh	Manuscript.
Literary and Historical Society	Quebec	Currency of Canada.
Macalester College.		Contributions.
Master of the Rolls	London, Eng.	Letters and Papers Henry VIII.
		Volume 12, part II., 1537.
		Calendar Committee for compounding 1
		Chronicles par Naurin 1447-71, and 142
		Year Book 15 Edward III.
		Sarum Charters and Documents.
		Giraldus Cambrensis.
		Calendar of Patent Rolls.
		Edward III 1327-1330.
Matheson, D.	Ottawa	Niagara, 100 years ago, by Janet Carno
Neill, Rev. E. D.	St. Paul, Minn.	Historical Pamphlets.
New York Historical Society		Collections 1886-87.
Olney, George N	New York	Pamphlet.
Pennsylvania Historical Society.		Publications.
Raymond, Rev. N. O.	St. John, N.B	Historical Pamphlets.
Renault, Raoul	Quebec	Historical Pamphlet.
Robinson, J. De Lancey.	Fredericton, N.B.	State Papers, by a late Secretary of State,
Smithsonian Institute		Report.
Spry, D	Barrie	List of Land Grants, 1837.
Thwaites, Reuben G	Madison, Wis.	Memoirs Lyman Copeland Draper.
		Black Hawk War.
Wisconsin State Society		Transactions.
Yale University	New Haven	Report, 1891.

NOTE A.

SETTLEMENTS AND SURVEYS.

(*Continued from Report of* 1891.)

APPLICANTS, &c., FOR LANDS IN MAY, 1788.

(*Canadian Archives, Series Q., Vol.* 37, *before the division of the Province.*)

The figures following the names indicate the pages.

A.—Allsopp, George, 272; Antrobus, 281, 283, 292 to 309, 311, 312.

B.—Battery Point, 259; Bennington, 316; Berthelot d'Artigney, 316; Bostwick, Rev. Gideon, 283.

C.—Caldwell, Hon. Henry, 278; Carillon, 271; Chaleurs Bay, 252, 266, 280; Chambly, 274; Cochrane, Hon. John, 274 to 278.

D.—Darcy, Thomas, 266, 309; D'Artigny, (Berthelot), 316; Davison & Lees, 311; Dibble, George, 283; Drummond, Capt. Peter, 283; Dulmage, Lieut. John, 283; Dunbar, Capt. David, 267.

G.—Grand River (Ottawa), 266, 279, 284; Grant, Captain David, 267, 310.

H.—Harrison, Edward, 289; Hoofnail, Michael, 283.

J.—Jessup, Major Edward, 283, 311, Lieut. Edward, 283.

L.—Lakes, Laclaie, 270; Long, 263; Memphemagog, 317; Simcoe (or LaClaie), 270; Superior, 263; Temiscouata, 268; L'Assomption, river, 267; Lawe, Capt. George, 267; Lees, John, 283; Lees, see Davison, 311; Long Sault, 267.

Mc.—MacLean, Capt. Lauchlin, 271, Lieut. Neil, 271.

M.—Mann, Edward Isaac, 280, Isaac, 279, Isaac, junior, 262, 279, John, 279, Thomas, 280, William, 280; Murray, Richard, 283.

N.—North West Co., 262; Nouvelle, 259.

O.—Ottawa, (Grand River) 266, 279, 284, 314.

P.—Porter, Asa, 317 to 322.

R.—Rocheblave, 269, 310.

S.—St. John's Blockhouse, 316; St. Regis, 271; Shoolbred, John, 252 to 262.

T.—Toronto, Portage, 269, 310.

V.—Vaudreuil, Seigniory of, 266.

W.—William Henry, 281.

Y.—Yacta Point, 259.

APPLICANTS, &c., FOR LANDS IN JULY, 1788.

(*Canadian Archives, Series Q., Vol.* 38, *before the division of the Province.*)

The figures following the names indicate the pages.

A.—Allsopp, George, 104.

B.—Boucherville, Capt. de, 44, 46; Bourdage, Louis, 127 to 130, 135, Widow, 128.

C.—Canadian Companies, 44, 46; Cataraqui, 133; Chambly, 37; Chaleurs Bay, 27, 128; Covell, Capt. Simeon, 133, 135; Cugnet, François Etienne, 101, 102.

D.—Davison, Alexander, 105; Delancy, Col. James, 132; Desauniers, Capt., 44, 6; Drummond, Colin, 104; Dumas, Alexandre, 103, Jean Baptiste, 39, 134; Dunn, homas, 103.

F.—Finlay, Hugh, 100 (petitions respecting St. Maurice forges, 110, 111); tch, Col. Eleazer, 40, 45, 46; Fortune, Col. William, 38, 134; Fraucherville, erèse Delouagne, widow of, 101; Fromenteau, Louis, 127, 135.

G.—Gamelin, Ignace, 101, 102; Gugy, Conrad, (forges 1783) 104.
H.—Holland, Major Samuel, 126; Holmes, Lieut.-Col. James, 132, 135.
J.—Johnston, James, 104.
L.—Lafond, Marie Boucher, widow of Etienne, 101; Lake, Memphremagog 130; Lake St. Francis, 45; La Verandry, Seigniory, 101; Lees, John, 105.
M.—Moseley, Isaac, 130 to 132; Murray, Quarter Master John, 36, widow Lieut. Duncan, 36, 134.
N.—Niagara, Fort, 36; Niverville, M. de, 37.
O.—Oswegatchie, 133.
P.—Pelissier, Christopher, 103; Porter, Asa, 45, 46; Poulin, widow of Mau 100, Michael, 102, Pierre, 102; Price, Benjamin, 104.
R.—Rivers, Bonaventure, 127, Ottawa, 37, 39, St. Francis, 43, Yamaska, Rouville, Capt. de, 44, 46.
S.—St. Etienne, Seigniory, 101; St. Martin, Dumas, 104; St. Maurice, fo (1767) 103 (1783) 103, 104. (Report on the mines, with details 100 to 109 and tions by Finlay, 110, 111). (Other documents relating to the forges, 112 to 1 St. Maurice, Seigniory, 100, 102; Shoolbred, John, 35, (reports, conditions in Fr grants and proposed deeds for the grant of a fief to Shoolbred, 47 to 99); Simon Jacques, 102.
T.—Taschereau, Thomas Jacques, 102; Three Rivers, 100; Todd, James, 1
V.—Varennes, Sieur de, 101.
W.—Watson, Brook, 104; West Chester Refugees, 132; Worthington, John

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APPLICANTS, &C., FOR LANDS FROM JULY TO OCTOBER, 1788.

(*Canadian Archives, Series Q., Vol. 39, before the division of the Province.*)

The figures following the names indicate the pages.

A.—Allsopp, George, 80 to 82; Amory, widow of John, 103; Ander Joseph, 90.
B.—Ball, Lieut. Jacob, 77, Lieut. Thomas, 77; Beasely, Richard, 93; Beth Rev. John, 88; Boucherville, Marie Margrite de, widow of La Corne St. Luc, Bradt, Capt. Andrew, 77; British Militia, 97; Butler, Lieut.-Col. John and offi of Rangers, 77.
C.—Caldwell, Col. 97. Capt. for his sons William and James, 84; Camp widow Abigail, 94, Major Colin, 96, George, 103, Lieut.-Col. John, 96; Cape Diam 80; Carillon, 87, 89, 91, 99; Cataraqui, 91, 98; Charlottenburgh, 88, 97; Chish Alexander, 102; Church, Malachy, 104; Oliver, 104, Clarke, Isaac Winslow, Claus, Lieut. William, 99; Collins, John, 91; Cook, Michael, 95; Cornwall, 88, Covel, Simon, 86; Curot, Messrs., of Montreal, 99.
D.—Dedegan, Pierre, 95.
E.—Edwardsburg, 95, 103; Ernesttown, 90.
F.—Furquharson, James, 100.
G.—Genevay, Lewis, 101; Going, Richard, 94; Gray, Major James, 95.
H.—Hare, widow of Lieut. Henry, 87; Harkimer, Capt., 92; Harris, Lieut.-(89; Hay, Lieut. Henry, 85, widow of John, 85; Hughes, James, 91.
I.—Impey, Adam, 87; Islands, Calumet, Le Grand, 101, Carleton, 98, Grand (now Wolfe Island), 85, 98, 99, Grenadier, 98, Tanti, 98.
J.—Jacquet, François, 90; Johnson, heirs of Col. Guy, 98, Sir John, 97, 98, John, for officers of the King's Royal Regiment of New York, 76.
K.—Kingston, 90.
L.—Lakes, Little St. Francis, 96, Memphremagog, 91, Ontario, 93, St. Fra 94; La Motte, William, 84; Landriaux, Antoine, 92; Leake, heirs of Major, Longueuil, Joseph de, 96; Lord, Elizabeth, 92, Joseph, 92; Lorimier, Fran Verneuil de, 97, Guillaume, 97.
Mc.—McDonell, Lieut. Angus, 97, Lieut. Archibald, 85, Major James, Mackay, John, 83, Samuel, 83, widow of Capt. Samuel, 83; McKinnon, Lieut. Don 101.

M.—Marchand, Louis (his services 79); Marcheterre, Louis, 90; Mecklenburgh, District, 90; Molloy, James, 103; Munro, Capt. Hugh, 96; Murray, widow of Lieut. Duncan, 100.

N.—Niagara, 100.

O.—Orillat, widow, 94; Osnabruck, 95.

P.—Pagé, Joseph, 92; Pastorius, Abraham, 96; Pemitiscutiank, 93, 94; Petite Nation, 95; Powell, William Dummer, 79.

Q.—Quinté, Bay of, 98, 102.

R.—Rastoul, Frederick, 90; Regiment, 84th. Proportion of grants to each rank, namely, to field officers, 5,000 acres; captains, 3,000; subalterns, 2,000; non-commissioned officers, 200; privates, 50 acres, 75; River Chateauguay, 89, 90, Detroit, 84, Grand, (see Ottawa), Ottawa, 79, 80, 85, 88, 91, 96, 98, 99, 104.

S.—St. Luc, widow of La Corne, 89; St. Sulpice, 96; Smith, Peter, 93; Smyth, George, Naval officer, 31, Terence, 91; Spencer, Benjamin, 101, Hazleton, 101; Stuart, Rev. John, 90, Sydney, 103.

T.—Teubroek, Capt. Peter, 77; Thurlow, 103; Toronto, 90, 92, 93, 94; Twelve Mile Creek, 100.

V.—Van der Leyden, Mr., 102; Vaudreuil, Seigniory, 91.

W.—Weimer, Jacob, 93; Wing, Abraham, Junior, 92.

APPLICANTS, &c., FOR LANDS IN MARCH, 1789.

(*Canadian Archives, Series Q., Vol.* 41, *before the division of the Province.*)

The figures following the names indicate the pages.

A.—Anderson, Robert, 239, William, 238; Armstrong, Jesse, 238; Ayton, John, 239.

B.—Beaudin, Madame, 246; Betts, Benjamin, 244; Bistodeau, (or Bistadeau), Antoine, 243, 249; Bobb, Jacob, 243, 248; Boudros, Athinass, 246; Bowman, John, 238; Burch, John, 250.

C.—Caldwell, Captain, for his sons, William and James, 233; Campbell, Archibald, 237, Donald, 237; Cap. Chaltes, 246, 249; Carillon, 244; Cary, Thomas, 240; Chaleurs, Bay, 245, 246; Clarke, William, 239; Claus, heirs of Daniel, 235, Lieut. William, 235; Cook, Alexander, 239; Coulson, Francis, 238; Crebassa, Henry, 239; Cunningham, John, 238, T., Senior, 238, Thomas, 238.

D.—Davison, John, 239; Day, Elias, 237, Ithamar, 238, Ithamar, Junior, 238, Jose, 238, Thomas, 237; De Lisle, Rev. C., 232; Desgouffre, Aubin, 246; Dillon, Richard, 239; Duncanson, James, 238; Duthie, John, 245.

E.—Edwardsburg, 236; Elizabethtown, 240; Emerson, John, (his services, &c., 44), 249, Joseph, 237.

F.—Farquharson, James, 235; Ferguson, Alexander, 239, Joseph, 237; Finney, Francis, 238; Fortin, ——, 246; Foy, Lieut. Louis, 241, 247; Fraser, Hugh, 238, William, 238, 239.

G.—Galette, Vieille, 234; Galway, Alexander, 238; Garfield, Jos., 238; Gaspé, 246, (little), 245; Genevay, Capt. Lewis, 236; Gibbons, James, 239; Gill, John de Courcy, 242, 248; Gordon, John, 238; Graham, T., 240; Grant, John, 237, 238; Green, James, 237; Gregory, P. Wharton, 238; Greig, James, 239.

H.—Hadden, Robert, 239; Hamilton, Robert, 250; Harris, Lieut.-Col., 234; Harron, George, 239; Holmes, Benjamin, 232.

I.—Island, Grand Calumet, 236, Tonti, 235; Iver, Alexander, 237.

J.—Johnson, Sir John, 235, for heirs of Guy, 235, for heirs of Major Leake, 235; Juncken, Henry, 237.

K.—King, Godfrey, 239; Kingston, 250; Kitfield, Nathaniel, 237.

L.—La Corne, widow of St. Luc, 234; Lafontaine, F. de, 246, 249; Laforce, Hypolite, 246; Lake St. Francis, 233, 234, Temiscouata, 234; La Motte, Capt. W.,

233; Laplante, ——, 246; Lawe, Capt. George, 233; Liens, Michael, 238; Lánto[illegible] George, 239; Longueuil, M. de, 244; Lorimier, François, Verneuil de, 234, Guillaum[illegible] 234.

Mc.—McCutcheon, James, 239; McDonald, Alexander, 238, Donald, 239, Joh[illegible] 239; McIntosh, John, 238; McKay, Donald, 238; McLean, Neil, 250; McPherso[illegible] John, 239; McRae, Allan, 238; McVay, Sergeant P., 238.

M.—Maxwell, Lieut., 246; May, Jos., 239; Merret, Jos., 239; Miller, Jame[illegible] 237; Mitchel, Fred., 239; Montmoulin, Fred. Gaudot, 239, Jos. Fred., 239, Re[illegible] M., 239; Morrison, Hector, 237; Murray, Widow, 235; Myers, Capt. Walter, 244.

N.—Nelson, James, 240; Niagara, 235, 250; Nugent, William, 237.

O.—Orlay, Pat., 246; Osnabruck, 241, 248.

P.—Parr, George, 238; Pashley, Joseph, 237; Pearson, John, 238; Peti[illegible] Nathaniel, 250; Petry, Fred., 239; Phillips, Robert, 239; Pointe la Croix, 245; Powell, W. Dummer, 233.

Q.—Quebec, Lower Town, 243, 246, 249; Quinté, Bay of, 244.

R.—Réaume, Charles, 242, 248; Rees, John, 237; Richardson, John, 238; Restigouche Indians, 245; Ritchie, Hugh, 239; River, Chateauguay, 232, 233, 234; Detroit, 233, Grand, (see Ottawa), Metapediac, 245, Ottawa, 233, 234, 235, 241, 242, 243, 244, 247, 248, 249, St. Anne, (little), 246, 249, St. Lawrence, 246; Robb, John, 239; Robinson, Militia man, 239; Ross, John, 238.

S.—Saxton, Lieut. Joseph, 237; Smith, Hugh, 245, John, 239; Smyth, Edward, 298; Sogudywitohenen, 244; Stagman, (Stegman?) Lieut. John, 241, 247; Stanley, John, 238; Stedman, Philip, 250; Stilhem, Jos., 238; Strachan, Isabella, 239; Sweetland, Henry, 238.

T.—Telfair, John, 238; Thomas, Charles, 242, 248; Thompson, Peter, 238, widow of Peter, 238, Th., 237; Toronto, 242, 248.

V.—Vallé, Louis, 246, 249.

W.—Walker, James, 240; Warren, John, 250; Webb, Militia man, 239; William, Henry, (town) 232, 243, 248; Williams, Edward, 237, W. John, 238; Willsie, James, 237; Wing, Abraham, 236; Wright, David, 238.

Y.—Young, John, 239.

Applicants, &c., for Lands in July, 1789.

(Canadian Archives, Series Q., Vol. 43-2, before the division of the Province.)

The figures following the names indicate the pages.

B.—Beaseley, Richard, 567; Beauchemin, Pierre, 568; Beauvilliers, heirs of François, 568; Bleury, de, 570.

C.—Cameron, Andrew, 554; Cananoque, (see Gananoque); Chaleurs Bay, 557, 565; Clarke, Robert, 561, 565; Cournoyer, Ignace, 567, Jean Baptiste, 568.

D.—De Lisle, Michel, 567; Desfonds, heirs of Jean, 568; Desourcy, Pierre, 568; Doty, Rev. John, 562; Dufau, Pierre, 554.

E.—Ernesttown, 561, 565; Etier, Louis, 568.

F.—Ferré, J. B., 566; Fromenteau, Louis, 565.

G.—Gananoque, (see also Rivers), 558; Goring, Richard, 567; Gouin, Joseph, 568.

H.—Handfield, Thomas, 559, 564; Hare, heirs of Lieut. Henry, 566; Hay, Lieut. Henry, 566, heirs of John, 566; Herkimer, Joseph, 562.

I.—Impey, Adam, 566; Islands, Isle au Bled d' Inde, 558, 559, 564; Isle Forêt, 557, 562, 563, Nut, 558, 559, 564.

J.—Jacquet, François: 566; Johnson, Sir John, 548, 550, 558, 563, 564; Jones, Daniel, 556.

L.—Lake, St. Francis, 567; Landriaux, Antoine, 566; Langevin, Pierre, 571, La Traverse, heirs of Pierre, 568; Le Roux, heirs of Jean Pierre, 571, Jean, *dit* Provençal, 571; Le Tendre, Antoine, 568, Jean Baptiste, 568; Lines, Nathaniel, 557; Longueuil, Joseph de, 569.

Mc.—McKinnon, Lieut. Donald, 567; McLeod, Norman, 569.

M.—Mandeville, Antoine, 568; Mann, Isaac, 557, 565, William, 557, 565; Marcheterre, Louis, 566; Matanne, Seigniory, 567; Millet, Antoine, 568, Charles, 567; Moore, Joseph, 569, 570.

O.—Orillat, heirs of ———, 565.

P.—Pagé, Joseph, 566; Pastorius, Abraham, 551, 552, 553, 565; Jean Baptiste, 567; Pemistiscutiank, 567; Piedmont, 570; Pittsburg, 557.

Q.—Quebec, 555.

R.—Rastoul, Frederick, 566; Rivers, Bonaventure, 557, 565, Chateauguay, 570, Gananoque, 563, 564, Grand, (see Ottawa), Ottawa, 559, 562, 565, 566, 569, 570, St. Lawrence, 563, 564; Robertson, Charlotte, 556, Capt. Daniel, 556, Elizabeth, 556, John, 556, Margaret, 556; Ruisseau, Jaune, (Chaleurs Bay), 557, 565.

S.—St. Martin, Jean Baptiste, 567, heirs of Jean Baptiste, 568; St. Sulpice, 551, 565; Schaffalitzky, Baron, 569, 570; Schieffelin, Jacob, 569; Smith, Terence, 560, Thomas, 560; Smyth, Peter, 567; Sorel, 571, curate of, 569, seigniory of, 567; Stewart, Murdoch, 554; Stone, Joel, 548, 550, 558, 564; Stuart, Rev. John, 560.

T.—Tonnancourt, Godefroy de, 570; Toronto, 566, 567.

W.—Weimer, Adam, 566; William, Henry, 570.

TOWNSHIP OF LANCASTER.

(*Canadian Archives, Series Q., Vol.* 45–1 *and* 45–2, *before the division of the Province.*)

First Concession, page 295.

(Each lot contains 200 acres.)

B.—Bland, William, lot 24; Bushby, Thomas, lot 16.

C.—Cameron, Alexander, lot 25, John, ½ of lot 30; Campbell, Widow, lot 13.

D.—Dixon, Jane, ½ of lot 30; Dunn, John, lot 20.

G.—Graham, Thomas, lot 22; Grant, Alexander, ½ of lot 27, John, lot 19, William, ½ of lot 27.

H.—Hair, James, lot 21; Hyler, Nathaniel, lots 17, 18.

Mc.—McFall, Lieut. David, lot 4; McIntosh, Peter, lot 5.

M.—Morrison, heirs of C., lots 1, 2, 3, James, ½ of lot 15, Mary, ½ of lot 15.

R.—Ross, Donald, lot 26, Thomas Ben, lot 29, Thomas Taylor, 28.

S.—Sutherland, Alexander, lot 7 and ½ of lot 8, Anna, ½ of lot 11, George, lot 12, Joseph, lot 6, Mary, ½ of lot 11, Thomas, ½ of lot 8, Lieut. Walter, lots 9, 10, 14, 23.

Second Concession, page 296.

(Lots 1, 2, 3 and ½ each of lots 7 and 8 not granted.)

B.—Baker, Ben, lot 11; Blakely, Widow, ½ of lot 15.

C.—Cameron, Alexander, lot 25; Carey, (Curry ?), John, ½ of lot 8; Curry, John, ½ of lot 9.

D.—Dunn, John, lot 20.

F.—Flynn, John, ½ of lot 15; Fouda, James, lot 14; Fountain, Richard, lot 17.

G.—Grant, Alexander, ½ of lot 27, John, lot 19, William, ½ of lot 27.

H.—Hair, James, lot 21.

J.—Jonson (or Tomson), Edward, ½ of lot 5.

L.—Lemon, John, lot 13.

Mc.—McBean, Richard, lot 6; McDowell, John, lot 12; McFall, Lieut. David, lot 4.

P.—Powell, Jack, lot 16; Prince, Cato, lot 10.

R.—Ross, Thomas Taylor, lot 28.

S.—Scarrot, John, lot 18; Snyder, Jacob, lots 22, 23; Sutherland, Lieut. Walter, ½ of lots 9, 24.

T.—Tomson (or Jonson), Edward, ½ of lot 5.

W.—Williams, Moses, ½ of lot 7.

Y.—Young, James, lot 26.

Third Concession, page 297.

(Lots 1, 2, 3, 4, 10, 12, 16, 17, 18, ¼ of lot 13, ½ of 14 and ¼ of 28 not granted.)

B.—Baker, Ben, lot 11; Blakeley, Widow, ½ of lot 15; Bowman, Luke, ¼ of lot 28.

C.—Cameron, John, ½ of lot 30; Castles, John, ½ of lot 26; Curry, John, ½ of lot 9, Widow, ¾ of lot 8.

E.—Edge, Mary, lot 29.

F.—Flynn, John, ½ of lot 15; Fonda, Thomas, ½ of lot 14; Fountain, Richard, lot 5.

G.—Graham, Thomas, lot 22; Grant, John, lot 19.

L.—Lemon, John, ¾ of lot 13; Londonderry, lot 27.

S.—Sambro, ½ of lot 30; Sealey, Augustus, lots 20, 21, 25; Snyder, Jacob, lot 23, Jeremiah, lot 24; Sutherland, Joseph, lot 6, Lieut. Walter, ½ of lot 9.

W.—Williams, Moses, lot 7, ¼ of lot 8; Wright, John, ½ of lot 28.

Y.—Young, James, ½ of lot 26.

LAND BOARD OF MECKLENBURG.

(*Canadian Archives, Series Q., Vol.* 45-2, *before the division of the Province.*)

Schedule 1, *page* 367.

LIST of reduced officers of Provincial Corps who applied for land between the 17th of June and 9th of September, 1789.

2nd Batt. Royal Reg. of New York.

Capt. James McDonell.
" George Singleton.
Lieut. Hazelton Spencer.
" Oliver Church.
" John Howard.
" Henry Young.
" William McKay.
Ensign William Crawford.
" " for his father, Capt. Crawford.
" John Thompson.

King's Rangers.

Major James Rogers.
Capt. John Walter Myer.
Lieut. Henry Guimon. (?)
" James Robins.
" James Parot.
Ensign John Peters.
" Richard Ferguson.

Schedule 2, *page* 369.

LIST of old settlers who applied for land during the same period. (The figures following the names show the number of acres granted.)

A.—Abraham, Christian, 200; Anise, Jonas, 200.

B.—Bartholomew, Peter, 200; Booth, Joshua, 200; Boyce, Stephen, 200.

C.—Cole, Simon J., 350; Conklen, John, 200.

D.—Davis, Henry, 200.

F.—Finckle, Henry, 200; Foster, John, 200, Moses, 350; Franklin, John, 100, Joseph, 200, Joseph, junior, 200; Frileigh, Christopher, 100, Peter, 100.

G.—Gardener, Henry, 350; German, John, 200.

H.—Hartman, David, 300, Philip, 200; Hawley, Davis, 300; Hesse, Jacob, 200; Hicks, Lewis, 500; Hough, Barnabas, 300.

J.—Johnson, William, 200.
Mc.—McDougall, Peter, 300; McFaggert, James, 450; McKenzie, Colin, 600.
P.—Perry, Robert, 400; Putnam, Russell, 150.
R.—Rambourg, Amos, 300; Richards, John, 200; Rogers, David, 260, James, junior, 200.
S.—Smith, Michael, 200; Snyder, Abraham, 200, Simon, 200; Spencer, Augustus, 200; Stoner, Martin, 200; Storms, Gilbert, 400; Swan, Charles, 200.
T.—Thomas, Peter, 200.
V.—Van Dwien, Conrade, 200.
W.—Walker, Daniel, 200; Washburn, Ebenezer, 200.

Townships mentioned in Schedule 2.

A.—Adolphustown.
C.—Carleton Island.
E.—Ernesttown.
F.—Fredericksburg.
K.—Kingston.
M.—Marysburg.
P.—Pittsburg.
T.—Thurlow.

Schedule 3, *page* 371.

List of Persons from the American States and elsewhere admitted during the same period to become settlers. The names of the townships not returned. (Each settler received 200 acres.)

B.—Bushel, Richard.
C.—Conger, David junior, Peter de Sydney.
D.—Demaree, James, Nicolas.
F.—Foster, Oliver; Frederick, Peter; Fretz, Jacob.
H.—Hanna, William; Havens, John; Hennessey, James; Hunt, Philip; Hurff, Ansel.
Mc.—McMichael, John.
P.—Paddock, Solomon.
S.—Smith, Jacob; Snyder, John, William; Stuart, Alexander.
V.—Vilia, William.
W.—Walker, William.
Y.—Young, Robert.

Schedule 4, *page* 372.

List of Lands granted between 1st October, 1788, and 23rd September, 1789.

(The figures following the names show the number of acres granted.)

A.—Ashold, Isaac, 100; Attwood, Benjamin, 100.
B.—Babcock, David, 200; Boice, Stephen, 200; Booth, Joshua, 200; Bradt, ...der, 100; Brown, Stephen, 100; Bushel, Richard, 200.
C.—Clapp, Benjamin, 100, Elias, 100, Joseph, 100; Clocker, Joachim, 200; ...le, Tobias, 100; Conklin, John, 200; Crawford, Ensign William, 200.
D.—Demaree, James, 100; Duree, Samuel, 100.
F.—Ferguson, John, 100; Finckle, Henry, 200; Foster, John, 200, William, ...; Franklin, John, 100, Joseph senior, 200, Joseph junior, 200; Fredericks, ...radt, 100; Fretz, Jacob, 200; Frileigh, Christopher, 100, Jacob, 200, Martin, ..., Peter, 100.
G.—Galloway, Samuel, 200; German, John, Senior, 200; Graham, Richard, 100, ...liam, 100.
H.—Hanna, William, 200; Hartman, David, 300, Philip, 200; Hantz, John, ...; Havens, John, 200; Hawley, David, 300; Hennessey, James, 200; Hesse, ...ob, 200; Hough, Barnabas, 300; Huff, Abraham, 100, John, 100, Solomon, 100, ...liam, 100.
J.—Johnson, James, 100, John, 100, William, 200.

K.—Kine, Francis, 100.

L.—Lake, Nicholas, 200; Lauglin, (Laughlin?), Alexander, 100; Leode, Godfrey, 100; Lewis, Richard, 100, William, 100; Lipscomb, Captain, 100; Longwell, John, 100, Matthew, 100.

Mc.—McAfee, John, 100; McDougall, Peter, 300; McMichael, John, 200.

M.—Marsh, Mathias, 100; Mae, Thomas, 100; Myers, Capt. John Walter, 200.

N.—Nylliar, Nicholas, 100.

O.—Ostrum, Rudorf, 100.

P.—Paddock, Solomon, 200; Perry, Robert, 400; Purdy, Gilbert, 100.

R.—Rasbur, Peter, 100; Reid, John, 100, William, 100; Robins, Lieut. James, 200.

S.—Smith, Abraham, 100, Jacob, 250 and 200, James, 200. Michael, 200, Richard, 200 and 100, Samuel, 100, Thomas, 100; Spencer, Benjamin, 100, Henry, 100; Swick, Philip, 100.

T.—Thomas, Peter, 200; Thompson, Timothy, 200.

V.—Vanderlop, John, 200; Vanhorn, Garrot, 100.

W.—Walker, David, 200, William, 200; Williams, Samuel, 100; Willsea, Abraham, 100; Winney, Benjamin, 100; Wood, John, 100; Wright, Robert, 100.

Y.—Yedman, (Yeoman?), Eleazer, 100; Yeoman, Arthur, 200, David, 200; Young, Robert, 200.

TOWNSHIPS mentioned in Schedule 4. (The townships, concessions and lots are placed opposite the name of each grantee in the schedule.)

Camden, Ernest-town, Fredericksburg, Pittsburg, and first township below it, Richmond, Sophiasburg, Sydney, Thurlow.

PETITIONERS AT MONTREAL (reported in January, 1790) for lands on the Ottawa, page 388.

B.—Bloomes, Nicholas; Bradley, John; Bright, Lavis.

C.—Carpenter, Peter; Cumming, John.

D.—Dogstrader (Dockstrader?), Adam.

K.—Kayser, Melcher; Killimere, George.

M.—Martin, John.

S.—Schaum, John.

T.—Tiring, John.

W.—Wallace, William.

ENUMERATION of settlers at Hamilton, Bay of Chaleurs, who have no titles to the lands they have occupied since 1762, with the number of arpents. The number of arpents follows each name.

(*Canadian Archives, Q.* 45-2, *page* 399.)

TO THE SOUTH-EAST OF THE RIVER.

B.—Babin, Ambroise, 75, Thomas, 18; Bourdage, Esther Leblanc, widow, 300; Bujol, Charles, l'ainé, 75, Charles, fils, 80.

P.—Poirier, Charles, 72, Pierre, 62½, Pierre *dit* Parrot, 100.

R.—Richard, François, 62½, Jean Baptiste, 62½.

TO THE NORTH-WEST OF THE RIVER.

A.—Arceneau, Gregoire, 60, Jean, l'ainé, 60, Joseph, Capitaine de milice, 60.

B.—Bernard, Isaac, 60, Jean, 60; Bourg, Joseph, 60.

G.—Gauthier, Joseph, 60.

L.—Lavache, Jean Baptiste, 60.

NOTE B.

LOWER CANADA IN 1800.

LIEUT. GOVERNOR MILNES TO THE DUKE OF PORTLAND.

(*Canadian Archives, Series Q., Vol. 85, p. 228.*)

QUEBEC 1st November 1800.

MY LORD,—On my first taking upon myself the administration of the affairs of this Province, I was extremely struck with the wavering state in which I found the Interests of Government. I have since been at much pains to discover the real cause of this situation of things, which I plainly saw lay deeper than, I believe, is generally supposed by His Majesty's Ministers, and I am so forcibly impressed with a persuasion that this subject ought to be attended to, that I feel it my duty to lay before Your Grace such remarks as have occurred to me respecting it, in order that Your Grace may be fully apprized of the real state of the Country, and take such measures as you may think fit to strengthen the Executive Power in Lower Canada.

However excellent in itself the new Constitution may be which His Majesty has graciously been pleased to Grant to the Province, I conceive the Foundation of it must rest upon a due proportion being maintained between the Aristocracy and the Lower Orders of the People, without which it will become a dangerous weapon in the hands of the latter. Several causes at present unite in daily lessening the Power and Influence of the Aristocratical Body in Lower Canada. I cannot however but think that measures might be adopted to counterbalance in some degree this tendency, and I shall hereafter have the Honour to point them out to Your Grace; but in order to make myself clearly understood, I must first explain what I consider to be the principal causes by which the Influence of the Aristocracy in this country has gradually been reduced to its present state. The first and most important of these, I am of opinion, arises from the manner in which the Province was originally settled; that is from the independent Tenure by which the cultivators (who form the great Body of the People and are distinguished by the appellation of Habitans) hold their Lands; and, on the other hand, from the inconsiderable power retained by those called the Seigneurs, and the little disposition they feel to increase their Influence or improve their Fortunes by Trade. Hence by degrees, the Canadian Gentry have nearly become extinct, and few of them on their own Territory have the means of living in a more affluent and imposing style than the simple Habitants, who feel themselves in every respect as independent as the seigneur himself, with whom they have no further connexion than merely the obligation of having their corn ground at his Mills, paying the Toll of a fourteenth bushel, which they consider more as a burdensome Tax than as a Return to him for the Land conceded by his family to their Ancestors forever, upon no harder conditions than the obligation above mentioned, a trifling Rent, and that of paying a Twelfth to the Seigneur upon any transfer of the Lands.

The second cause which I apprehend tends to lessen the Influence of Government in this Province is the prevalence of the Roman Catholic Religion, and the Independence of the Priesthood; this Independence I find goes considerably further than what was intended by the Royal Instructions wherein it is particularly declared to be His Majesty's pleasure, "that no person whatsoever is to have Holy Orders "conferred upon him or to have the Care of Souls, without a license first had and "obtained from the Governor," &c., &c., but this Instruction has hitherto never been

enforced, by which means the whole Patronage of the Church has been thrown into the hands of the Roman Catholic Bishops, and all connexion between the Government and the People through that channel is cut off, as the Priests do not consider themselves at all amenable to any other power than the Catholic Bishop.

A singular Instance lately occurred of this Independence : A Priest at Terrebonne, near Montreal, interfered in the most indecent manner in the late election for the County of Effingham. He exerted all his Influence to prevent the Solicitor General from being chosen, and violently supported a man who had been expelled from the House of Assembly on account of his having been convicted of Conspiracy, and who was consequently considered as a dishonoured Person. Upon this man being chosen, the Priest actually went so far as to perform High Mass in the Parish Church, to return thanks, as he termed it, "for the re-election of this Martyr." In Justice to the Canadian Bishop I must add, that upon my representation he did everything that was proper to be done on the occasion.

Another circumstance which has greatly tended to lessen the Influence of Government since the Conquest, has arisen from the necessity which then existed of disembodying the Militia, but as I am by no means of opinion, considering the circumstances which took place a few years since that it would be either practicable or prudent to call on the Militia at this particular moment, I shall not enter further into this subject at present, though I shall hereafter revert to the Militia, even in its present state, as a means by which a certain degree of Influence might still perhaps be established in the several parishes.

It may be unnecessary to observe to Your Grace how much more Important the above facts are become since the establishment of the new Constitution. In the time of French Government, an Ordinance issued in the name of the King was sufficient to enforce the Execution of any measure that was deemed expedient, without any discussion taking place upon the subject, or its entering into the mind of the unlettered Habitant, to doubt for a moment the propriety of the measure. But since the establishment of the present Constitution in the year 1792 the case is very different, everything being previously discussed in the House of Assembly, and unless a certain preponderance can be maintained in that House, which at present is by no means as firmly established as I could wish, the Power of the Executive Government will insensibly become nothing. Very few of the Seigneurs, as I have already hinted, have sufficient Interest to ensure their own Election or the Election of anyone to whom they give their support in the House of Assembly; and the uneducated Habitant has even a better chance of being nominated (though he cannot perhaps sign his name) than the first officer under the Crown. There was a moment when I even despaired of getting the Attorney General into the present Assembly, and though it is undoubtedly better composed than the last, it is far from being so respectable a Body as Government might wish.

The Canadian Habitants are, I verily believe, an Industrious, peaceable and well disposed People, but they are, from their want of education and extreme simplicity, liable to be misled by designing and artful men; and were they once made sensible of their own Independence, the worst consequences might ensue. They are, in fact, the sole proprietors of nearly all the cultivated Lands in Lower Canada. The Seigneurs and Ecclesiastical Bodies to whom the Lands were originally granted, having conceded the greater part of the Lands for ever, with little or no reserve, to the Cultivator, in small Parcels of from one to two hundred acres, retaining only, as I have already observed, the Property and Profits of the Mills, a certain proportion of the Produce, which is sometimes paid in kind and in various ways, and the Sods and Ventes; and this species of property attached to the Seigniorial Rights, is by the Ancient French Laws of Inheritance (which occasion frequent subdivisions of Property) in a few Generations become quite inconsiderable, whereby the situation of the Seigneur has in many Instances been reduced below that of the Vassal. Each Habitant cultivates as much Land as he can manage, with the assistance of his own Family, and as is necessary for its support; and having thus within themselves from year to year all the necessaries

f life, there cannot be a more independent Race of people, nor do I believe there is n any part of the world a country in which equality of situation is so nearly stablished. Except in the Towns of Quebec, Montreal and Three Rivers, little or o difference is observable in the affluence of the Canadians, but what may in some measure arise from the local circumstances of more or less favourable situation, a richer soil, or a greater or less degree of exertion.

The counties are divided into Parishes, each Parish chiefly extending about three leagues along the River St. Lawrence and Chambly, and to each of which there is a Parochial Church; the principal person in every Parish is in general the Priest, another next the Captain of Militia, and it is through the latter that any business is transacted by Government.

Having endeavoured to give Your Grace some insight into the actual state of this country, which I could more fully enlarge upon if I was not apprehensive of intruding too much upon your time until I have received your permission so to do, I shall proceed to point out the means by which I imagine the Influence of Government might be immediately extended to the distant parts of the Province, and though I am conscious this cannot be effected without a certain expense to the Mother Country, I consider that expense as inconsiderable when compared to the sums it would require to quell any disturbance that might for want of timely precaution take place in the Province. The apprehensions of such an event though not immediate, is strongly impressed on the minds of some of the best Friends of Government.

I am well aware the chief object to be depended upon to increase the Influence of the Crown, will be by means of the Waste Lands; and in that point of View the delay that has taken place in the Land Business is greatly to be regretted, and it becomes an object of peculiar Importance to Government that no further delay may occur to prevent the clearing and settling of the immense Tracts that are now in the hands of the Crown undisposed of, as their being granted in free and common soccage will in time (if judiciously granted) form in this Province a body of people of the Protestant Religion that will naturally feel themselves more immediately connected with the English Government, but as this cannot be expected to have any immediate effect, I am inclined to think that in the meantime much may be done first through the Catholic Priests, and secondly by means of the Militia.

The Present Catholic Bishop is extremely well disposed to Government, he is allowed by His Majesty £200 per annum, as Superintendent of the Catholic Church, in addition to which he receives from Government a Rent of £150 a year for the use of the Bishop's Palace at Quebec, which is occupied by Public Officers; he has lately applied to us for an enclosure of this Rent, signifying at the same time that his Income is very inadequate to the situation and the calls which are made upon it, which I have reason to believe is a just statement.

This application offers an occasion of attaching the Canadian Bishop more particularly to Government, if by such an encrease of his appointments as His Majesty shall graciously be pleased to allow his situation was made more easy, at the same time requiring of him a strict attention to that part of His Majesty's Instructions to the governor which I have before mentioned. This I am of opinion would tend very much to encrease that consideration which the Priests themselves ought to feel, and to encourage in their Parishioners, for the Executive Government, at the same time that it would ensure the co-operation of the Canadian Bishop. But in order to carry this point, particular care must be taken to secure a proper moment, and if the Bishop should be decidely averse to make the sacrifice required of him, it ought perhaps be deferred to the Peace.

The Priests have a 26th of all the Grain, which may be valued at £25 or £26,000 year, which alone must make their influence very considerable, and especially as e Religious Bodies are in possession of nearly One Fourth of all the Seigniorial ghts granted before the Conquest (excepting those of the Jesuit Estates lately ken into the possession of the Crown, as will appear by the Inclosure): there are 3 Parishes and 120 Parish Priests.

With regard to the Militia, it will be more difficult to give Your Grace a clear and distinct idea of the mode in which I am inclined to think use may be made of this Body to support the Interests of Government through the Province and to disseminate Principles of Loyalty amongst the Canadians in opposition to that spirit of Democracy which has lately gained so much ground in many parts of the world, but fortunately has not at present made any material progress in Canada.

The Population of Lower Canada is computed at about One Hundred and Sixty Thousand Souls, nine tenths of whom reside in the Parishes before described, distinct from the Towns, and from these are drawn the Canadian Militia, which amount to 37,904 between the ages of 16 and 60. In the Parishes here alluded to, there are 232 Captains of Militia, who are chosen from amongst the most respectable of the Canadian Habitants (the Etat Major amounting to 16 being in general chosen from among the Seigneurs); and here it is necessary to inform Your Grace how far under the dominion of France the Body of the People were regulated in all Public Matters by the Officers of Militia; the Captains of Militia being the persons employed to issue and enforce the Public ordinances, and the Curés, and through the authority thus delegated to them by Government, possessed considerable influence in their respective Parishes.

Although under His Majesty's Government these powers have in a great measure been withdrawn, especially since the establishment of the new Constitution, there still remains in the minds of the Canadians, a certain consequence attached to the character of Captain of Militia, and as I have before observed to Your Grace it is still customary on all public occasions to employ this useful Class of People to perform many services for Government, which they had hitherto done without other Reward than merely that arising in their own minds from the honour and respectability of the appointment; but this tho' sufficient to render it desirable is, as they feel, by no means an equal return for the considerable Portion of their time so employed. If then by means of an honorary and pecuniary reward, or by any plan that may be so approved of by the Executive Council, this class of the Canadians would be brought to consider themselves as the immediate Officers of the Crown, and peculiarly attached to the Interest of Government, there is no doubt that such an influence, from the circumstance of being equally diffused over the whole Province would effectually tend to keep alive among the great Body of the people, that spirit of Zeal and Loyalty for Monarchical Government which I believe to be natural to the Canadians, but which for want of an immediate class to whom they can look up, and from their having no immediate connexion with the Executive Power, is in danger of becoming extinct.

That Loyalty is a lively principle in the hearts of the Canadians I have no doubt, if I may judge from the expressions of satisfaction which are shewn by all Ranks, whenever the Representative of His Majesty only passes through the Country; this I myself experienced (though at that time generally unknown) in the Tour I lately made through the Province.

There are several other means besides those I have already stated by which I am convinced a proper bias may be maintained in the minds of the Canadians, so as I should hope would secure the Province against any internal Commotion or Disaffection, the details of which I shall reserve until I shall receive Your Grace's sanction to trouble you further on this head; particularly as in order to give Your Grace a complete idea of this subject and the extent of my plan, it will be necessary to solicit your attention while I lay before you a sketch of the relative Expences of the Civil Department of Lower Canada, and the Military expenditures of the Canadas, by which it will appear how little proportion exists in the expences of those Departments, and what a considerable saving may hereafter accrue to Government, if according to the Plan proposed, and by a more liberal allotment to the Civil Expenditure, such an Influence could be attained over the minds of the Canadians as might in the course of time not only secure the Province from any Interior Commotion or disaffection but likewise ensure the co-operation of the Inhabitants in the defence of the Province

gainst the attempts of a foreign Enemy without the aid of such a Considerable ilitary Establishment as the Mother-Country has hitherto maintained in this part f His Majesty's Dominions.

The deficiency of the Revenue, upon the average of the last Five years of the ivil Expenditure, amounts, as will appear in the paper I have the honour to transnit, to £12,000 per annum, and the Military expence of the two Canadas, according o the best Information I can collect to about £260,000, this Expence would, in case f any Tumult or Insurrection in the Country, or of a war with the neighbouring States, most probably be double its present amount, and this Consideration alone hows, how infinitely important it is to the Mother-Country, that Your Grace should e made acquainted, while there is yet time, with every means by which the Influence of the Crown may be increased and the hands of the Executive Power strengthened.

But there is another Consideration of perhaps greater importance *than any above mentioned:* Could such an Influence be obtained throughout the Province by means of the Priests and the Captains of Militia, as I have ventured to look forward o, that Influence when fully established might also be employed so as at all Times o ensure a Majority in favour of the Government in the House of Assembly, and to ecure the election in that House of such men, as from their Education and knowledge of Business are most likely to see the real Interests of the Province in heir true light, and not to be deluded by the fallacious arguments of any popular peaker from giving their entire support to the Executive Government. The defect f such an Influence over the Elections lessens the respectability of that Assembly n a very great degree, and particularly as from the absolute want which has so ong existed of the means of Education and the inability of the Canadians to support he Expence that would attend sending their sons to the Mother-Country for that urpose, there are at present scarcely any rising men, and but few men of Talent mong the Canadian Gentry.

From this and other Causes the Business of the House of Assembly is transacted ith so little system, or regularity, that the oldest members are sometimes unable o form a judgment of what is likely to be Result of their deliberations on the most ommon subjects.

While a due Preponderance on the side of Government is so manifestly wantng in the Assembly, it is considered by the well-wishers of Government as a ortunate circumstance that the Revenue is not equal to the Expenditure, and Your Grace will immediately see the necessity on this account of preserving, in appearance at least, that disposition in a greater or less degree, as there is no reason to pprehend that in case the Province could be induced to tax itself in a degree equal o the calls of the Executive Government, the Right of Regulation and Control ver the whole would probobly be aspired to by the Assembly, which could not fail f producing the most injurious consequences to the Colonial Government, rendering from that moment dependent on the will of a popular Assembly.

The burthen which is at present thrown upon the Mother-Country will be fully Compensated for, whenever the sums that shall arise from the sale of the Waste Lands begin to come in, and particularly if (as appears by the despatch of the 13th July, 1797, to Gen. Prescott, to have been in contemplation) it should be determined o appropriate the moneys arising from these sales to the purchase of Stock in the English Funds, and the Interest of this Stock to go in aid of the Civil Expenditure of the Province, in such manner as the Lords of His Majesty's Treasury may direct.

The Quantity of Land which from first to last will have been at the disposal of Government is computed at about One hundred and fifty Townships, equal to Ten million of Acres, which have actually been applied for, including as is supposed the principal part of the Ungranted Lands in Lower Canada that are deemed convenient and fit for cultivation.

Of the above about Thirty-five Townships only are in contemplation to be granted in the original Terms proposed in the year 1792, consequently one hundred

and fifteen Townships will remain for the future disposition of the Crown, exc
of the Church and Crown reserves, consisting of five sevenths set apart
Townships already granted.

The Wealth, Power and Influence that must accrue to the Parent State
these Lands became settled is an object of self evident magnitude, and must in
make a full return for whatever will be found necessary in the meanwhile to s
and secure so valuable a colony.

I flatter myself there can be no doubt that the Liberality with whic
Majesty has lately been pleased to provide the means of Education in the Pro
will go a great way to secure the affection and Loyalty of the rising Gene
who would otherwise be in danger of imbibing Principles inimical to His Ma
mild and paternal Government, by the necessity which has hitherto existed o
being sent to the neighbouring states for Education.

The respectable footing upon which the Protestant Church is about to
in Quebec will likewise tend to increase Consideration which ought to prevail
Established Church.

When I began this Dispatch I did not foresee the length into which I ha
evitably been drawn, but trust I shall stand excused in the opinion of Your
by the motives that have actuated me in this research, and I may truly say
no other view than a full and conscientious discharge of all the duties that
to the situation which His Majesty has been pleased to entrust to me.

I have the Honour to be, My Lord,

Your Grace's most obedient and most humble servant

ROBT. S. MILNE

Enclosed.

Memorandum of the Total quantity of Land granted in Canada, previous
Conquest, with the proportions thereof granted to the Church and Laity :—

Total amount of Grants		7,985,470
To the Church.		
Quebec Ursulines	164,615	
Three Rivers Ursulines	38,909	
Recollets	945	
Bishop and Seminary of Quebec	693,324	
Jesuites	891,845	
St. Sulpiciens	250,191	
General Hospital, Quebec	73	
do Montreal	404	
Hotel Dieu, Quebec	14,112	
Sœurs Grises	42,336	
	2,096,754	
To the Laity	5,888,716	
		7,985,470

To the Church nearly $\frac{1}{4}$th.

A Statement of the Revenue and Expenditures of the Province of Lower C
for five years commencing in 1795.

The Revenues are as follow :

1st. The Casual and Territorial Revenues of the Crown as it existed before the Conquest, which together with the King's Fines on an average of Five Years have produced about	£1,500	0	0
2nd. The Revenues from Duties, &c., under the Act of the 14th of the King, the average whereof has been fixed by the Legislature at	4,644	8	0

3rd. The appropriation of duties for the payment of the Officers of the Legislative Council and Assembly, and contingencies about.....	1,500	0	0
4th. The duties imposed by the Legislature to make good the sum of £5,000 stg., voted towards the administration of Justice and support of the Civil Government	5,555	11	1
	£13,199	19	1
The Expenditure on average :—For five years commencing in 1795 and ending in 1799 (exclusive of the Payments for the support of the Clergy &c.) pr. Lists of Warrants annually laid before the Legislature are about.....	25,200	0	0
Annual deficiency about.....	£12,000	0	0

which has hitherto been supplied and paid from the Army Extraordinaries.

Remarks.

The Revenue from the source No. 1 has been of late improved and may still improve under the same management, in the following particulars :

Leases of the Forges St. Maurice formerly £20.16.0 now leased for £850 pr. annum for five years. Lease of a part of the King's wharf for years at £310 per annum.

The remainder given up for the uses of the Military Department estimated at £ per annum.

The King's Post now leased for £400 pr. annum, there is reason to believe, may be leased for a much larger sum.

The Lots et Ventes or Mutation Fines in the King's Domain at Quebec and elsewhere *now unproductive* may if attended to and collected (or an equivalent in lieu thereof) produce a considerable addition to the Revenue.

The Revenue under the 14th of the King (if the Act of Consolidation should be ratified) will be blended with the other funds provided by the Provincial Legislature, any deficiency must be made good thereby, but on the other hand the surplus, if any (and which is the more probable) will be at the disposal of the Legislature.

The Revenue No. 3 is in the same predicament. The sum of £5,000 stg. having been voted to be raised by the Legislature of the Province, and accepted by Government as a fund towards the administration of Justice and support of the Civil Government may be considered as its acknowledged proportion of the expences.

NOTE C.

ECCLESIASTICAL AFFAIRS IN LOWER CANADA

No. 1.—LIEUT. GOVERNOR MILNES TO LORD HOBART.

QUEBEC, 15th August 1803.

MY LORD,—I have the honour to transmit Your Lordship a copy of a letter from the Lord Bishop of Quebec, respecting the situation of ecclesiastical affairs in this Province.

The Bishop in his present letter has entered so fully into this important subject as to leave little for me to say concerning it, and indeed I view the matter as to entirely depending on whatever may be His Majesty's determination with regard to the Church Establishment of Lower Canada, that I consider it unnecessary for me to do more than to transmit Your Lordship's statement for the purpose of its being submitted to His Majesty's consideration, at the same time persuaded that the highly respectable character of the Bishop, and the uniform support he has afforded to the Executive Government of the Province, will add no inconsiderable weight to whatever he may suggest for the better regulation and establishment of Ecclesiastical affairs in this Diocese.

Concerning the Roman Catholic clergy in Lower Canada, it is necessary I should mention to Your Lordship that, so far as I can learn, no authority, or interference with respect to them has hitherto been exercised by any of His Majesty's Representatives in this Province, I have therefore judged it advisable for the present, to leave all matters relating to them in the state in which I found them. Having in my Dispatch marked separate and secret of the 1st November, 1800, (Q. 85. p. 228) to His Grace the Duke of Portland, entered at large into the actual situation of the Roman Catholic Clergy of Lower Canada, I beg leave on the present occasion, to refer Your Lordship to that Dispatch.

I have the honour to be, my Lord,
Your Lordship's most obedient most humble servant
ROBT. S. MILNES.

No. 2.—ANGLICAN BISHOP OF QUEBEC TO LIEUT. GOVERNOR MILNES.

(Canadian Archives, Series Q., Vol. 92, page 253.)

SANSBRUIT, 6th June, 1803.

SIR,—It is not without reluctance that I come forward at the present moment to request Your Excellency's attention to the situation of ecclesiastical affairs in this Province, not because I entertain any doubt respecting the importance, or the urgency of the several matters which I wish to lay before you, but because the time in which His Majesty's Bounty is largely employed in completing a Metropolitan Church at Quebec may appear to be ill-chosen for soliciting higher distinction and more extensive protection.

But, after maturely considering the subject in its different relations, and weighing, with the best deliberation in my power, its political, as well as its religious and moral, influence upon the general interests of His Majesty's subjects in these Pro-

vinces, I feel myself impelled, by a sense of superior duty, to surmount my scruples, and submit to Your Excellency's consideration the several points which appear to me to be of more immediate moment.

The Instructions which have been successively issued to His Majesty's Representatives (as far at least as they have been to my knowledge), the provision made by Parliament for the future maintenance of a Protestant Clergy, the erecting of those Provinces into a Bishop's see, and the assurance given to the Bishop upon his appointment to it, have spoken with uniform decision the intentions of His Majesty's Government with respect to the actual *Establishment* of the Church of England here.

I need not observe to Your Excellency that what has been thus obviously intended, has hitherto been very imperfectly effected.

Compared with the respectable Establishments, the substantial Revenues, and the intensive power and privileges of the Church of Rome, the Church of England sinks into a merely tolerated Sect; possessing at the present moment, not one shilling of Revenue which it can properly call its own; without Laws to controul the conduct of its own Members, or even to regulate the ordinary proceedings of Vestries and Church Wardens; without any provision for organizing or conducting the necessary proceedings of an Ecclesiastical Court or power to enforce their Execution. And what is worst of all, and what cannot but alarm and afflict the mind of every serious and reflecting man, without a body of Clergy, either by their number sufficient for the Exigencies of the State, or, by any acknowledged right, or legitimate authority, capable of maintaining their own usefulness or supporting the dignity of a Church Establishment.

I am perfectly aware, Sir, that we must look to the Provincial Parliament for such local laws and regulations, as are above alluded to. But, without meaning any improper reflection upon that body, I may be permitted to say, that as it is at present constituted, the Church of England must not expect any material assistance from it; unless that Church shall first be raised from its present depression, and shall derive, from the proper authority, that weight which alone can give it its *constitutional* preponderance, as the *Established* religion of the country—its rights being at once clearly ascertained and legally secured.

A variety of circumstances of which Your Excellency has perfect information and into the details of which it is not therefore either necessary or proper that I should enter, will, I trust, completely justify this language.

I shall proceed to submit such objects as appear to me to call in a more peculiar manner for immediate consideration.

And first, I would beg to suggest the necessity of determining whether the Church now building at Quebec shall be considered as really a Metropolitan or merely as a Parochial Church; whether it can consistently be left without a chapter? without some portion of that dignity which should constitute its appropriate character?

If a Parochial Church merely, whether the intention of actually *establishing* the Church of England in Canada and of supporting a Bishop's see will not appear to be in reality totally abandoned.

To enumerate the manifold advantages which would be derived to the country from such an establishment would carry me too far.

I will mention of only one or two of primary importance. But I must first beg permission to observe to Your Excellency that it is not the interests of the Protestant inhabitants of Quebec, Montreal, Three Rivers, William Henry, and the settlers in the new Townships (the last already amounting to many thousands [Appendix A.] and rapidly increasing) which are involved in this question—important as these interests are—but those also of the whole Province of Upper Canada, which is at least equally concerned in the event of such an establishment.

In both Provinces the majority of His Majesty's subjects are Dissenters; and of these there is a great variety of sects. I speak not my own opinion only, but many of the best informed persons in both Provinces, when I say that an effectual and respectable *establishment* of the Church of England would go near to unite the whole body

of Dissenters within its pale. Upon such a *union* I need make no comment; o religious benefits (great as they must be) I say nothing. Its political advant in times like these, would be incalculable. His Majesty could have no bond sure for the allegiance and fidelity of his Subjects in these distant Provinces.

Another main advantage would be the facilitating of the necessary suppl clergymen.

Where there is no hope of advancement there can be little expectation of en ing the services of men of ability and worth. Respectable and useful ministe our Church will not easily be induced to spend their lives in the wilds of this c try without any prospect of ever going to such more convenient and more hon able stations as their labours and virtues may be found to deserve.

That primitive zeal which could induce men wholly to forego every comfo this life for the purpose of propagating the true Religion, I fear, is rarely to be f amongst us; at least it may not have been my good fortune to find it. But difficulty of providing Clergymen for the new settlement would, I believe, be enti removed if a liberal and proper Church establishment held out to them a reason hope of reaping some fair emolument and some honourable distinction as the rew of an exemplary and meritorious discharge of their duty.

Whenever this subject comes to be considered I hope it will be considered that in the present state of Society, the dignity of Religion itself, as well as respectability of the Church is compromised, when its principal Ministers are much straitened in their incomes.

Your Excellency, I persuade myself, will be of opinion that the salaries of Rectors of Quebec and Montreal are now a great deal too low. They have n been augmented since they were first fixed, although the price of many of the ne saries of life is at present three times as much as it was at that period.

Two hundred pounds a year is very inadequate to the support of that resp able rank in society, which the Rectors of the Capital of this Province and of rich and flourishing City of Montreal ought undoubtedly to maintain.

The number of poor in both these cities, who have no provision by the l form a strong claim upon the charity of the Ministers of a benevolent religi claim which, in the instance alluded to, is well known to be duly attended to. duty of both parishes is very heavy; too much for a man at all advanced in and the assistance of a curate could not be obtained for less than half the Rec salary.

I think the salary at Three Rivers, which is equal to those at Quebec Montreal, at present sufficient for the situation, but that at William Henry, w is only £100 a year, is certainly too low.

I would next advert to the jurisdiction of the Bishop.

The late proceedings of the Court of King's Bench at Montreal, in a c against the Rev. Mr. Tunstall, accused of cruelty in the treatment of his wife (fol ed by a petition from the principal parishioners for his removal from the Liv proved him guilty of such gross misconduct as loudly called for the animadver of the Bishop and demanded the authoritative decision of an Ecclesiastical C Upon that occasion Your Excellency saw the difficulties that oppose the organi of such a Court; and the painful situation to which the Bishop must have reduced, if he had not happily found a resource in Your Excellency's concurr and support.

Circumstances of a still worse complexion have since threatened still gre difficulties.

Advocates in the temporal Courts are, indeed, in this Country by their C mission, Proctors, but for a registrar, or any inferior officer of the Court, there at present no means of provision.

This seems to deserve attention.

If the Establishment should take place, I would beg leave to propose that Bishop and Dean and Chapter, with the addition of a few more of the clergy, shou incorporated, for the purpose of taking the future superintendence and manage

of the lands reserved for the Church; the entire disposition of the fund arising therefrom being left with the Governor and Council of the respective Provinces.

Let me be permitted further to add, that as I humbly conceive, material and general advantage would result from the endowing of the Bishopric and the Chapter, with a portion of the Waste Lands of the Crown, reducing, in proportion, whatever salaries are, or may be, paid to either, out of the Army Extraordinaries or otherwise.

In hazarding such a suggestion as this, after the ample provision that has been made by Parliament for the support of a Protestant Clergy, I am not without apprehension that my motives may appear to be less disinterested than they ought to be; or than in reality they are. Such a conception will, however, I trust be obviated, if it be considered that a revenue from the reserved lands is yet entirely future; that some time must yet elapse before it can be rendered in any degree considerable; that the present dependent state of the Church is ill adapted to give due solidity, or procure proper respect to the *Establishment*; that such endowments as might be made would ultimately bear no proportion to the whole possessions of the Church, and that it is not meant thereby to augment the actual income of any individual.

I am sorry to be under the necessity of occupying so much of Your Excellency's time.

I suppress much that appears to me to be not unworthy of your attention, but there remains one point, which, although I introduce it with pain, because I may again appear to be personally interested, yet seems to me to have growing consequences of so much importance and extent, that I conceive it to be my duty humbly, but most earnestly, to recommend it to Your Excellency's consideration.

His Majesty was graciously pleased in the year 1793, to erect these Provinces and their dependencies into a Bishop's see, "to be called thenceforth" (Letters patent) "the Bishopric of Quebec." By successive Acts of his Government he had been pleased to provide for "the establishment of the Church of England, both in principle and practice," and for the future maintenance of its clergy.

It appeared to be His Majesty's gracious intention to leave to his subjects of the Romish Church "a toleration of the free exercise of their religion, but not the pow-"ers and privileges of it as an established Church, for that is a preference which "His Majesty deemed to belong to the Church of England alone."

Reserving to himself his just supremacy, His Majesty was pleased to "forbid, "under very severe penalties, all appeals to a correspondence with any foreign "Ecclesiastical Jurisdiction, of that nature or kind soever"; to prohibit "the exer-"cise of any Episcopal or Vicarial power, within the Province, by any person pro-"fessing the religion of the Church of Rome, such only excepted as are essentially "and indispensably necessary to the free exercise of the Romish Religion, and that "not without a licence or permission from the Governor for and during His Majesty's "will and pleasure" to direct "that no person should have Holy Orders conferred "upon him, or the care of souls, without a licence from the Governor," and "that "all the right or claim in any person whatever, other than His Majesty, to present "or appoint to any vacant benefice (Patronage of civil right excepted) should be "entirely abolished."

But what has Your Excellency found to be, in truth and in fact, the existing state of things?

"The Superintendent of the Church of Rome" (for such I understand to be his legitimate and proper appellation) is in the actual enjoyment of all the power and privileges of the most plenary Episcopal authority, under which he visits not this Province only, or that of Upper Canada, but the Provinces also of Nova Scotia and New Brunswick.

It is under the immediate sanction of the Pope's Bull, that he and his coadjutor enter upon the exercise of their Episcopal functions. He selects, as I understand, without any licence from His Majesty's representative, or any reference to him, whomsoever he thinks proper for Holy Orders and the care of souls.

He disposes absolutely, if I am not misinformed, of the whole Patronage of his extensive Diocese; and since the settlement of the French Emigrant Priests

(Appendix B.) in this Province, he has come forward with decision not only to assume *himself* in the public prints the title of "Bishop of Quebec," but to add the splendid style of "Monseigneur Sa Grandeur, le reverendissime et illustrissime." (C) His coadjutor wears the habit, and assumes the rank of a Bishop and likewise receives the title of Monseigneur.

Books (D) in the English as well as in the French language, inculcating the doctrines and discipline of the Church of Rome, are publickly advertised, under his authority for "the use of the Diocese of Quebec."

I am far from wishing that the Roman Catholic Clergy should be deprived of any of those privileges so liberally conceded to them for the free exercise of their worship, or of any reasonable indulgence that they enjoy; I would rather (if it were permitted) express a wish that the Superintendent's allowance from Government were better suited to His Majesty's distinguished bounty. But if in addition to his extraordinary power and influence, he be permitted to continue this high style of dignity, it is natural to ask what becomes of the *Establishment* of the Church of England? If the Roman Bishop be recognized as the "Bishop of Quebec," what becomes of the Diocese which His Majesty has solemnly created, and of the Bishop whom he has been graciously pleased to appoint thereto? To authorize the Establishment of two Bishops of the same Diocese, of different religious persuasions would be a solecism in Ecclesiastical Polity, which I believe never took place in the Christian world; to attempt the *union of different Churches* with the *State* would be, I hardly conceive, an experiment in the science of Government not less dangerous than novel.

If all that has been thus unwarrantably assumed were permitted to be continued and by such permission were virtually to receive the sanction of His Majesty's Government, it would be an indulgence which (I speak with all humility and deference) would appear to contravene the laws and constitution of our country; it would be to place "the Pope's Bishop (for such he is) above the King's; it would be, in my poor opinion, to do all that can be done to perpetuate the reign of error, and to establish the empire of superstition; and consequently it would be to grant an indulgence to the Canadians more injurious to themselves than even to the English Inhabitants; for whatever would have a tendency gradually to introduce reformation of the Romish Church would be the greatest benefit Canadians could receive.

I intreat Your Excellency not to consider me as under the influence of an intolerant and uncharitable spirit in what I have here advanced: I am indeed attached to the Church of England by principle and not less by experience: Not to insist in this place upon the superior purity of her faith and doctrines, I believe her to be the best friend to the security and happiness, both of the governing and the governed, of any that exists in the world.

It is my bounded duty to watch over her interests. I now make what I intend should be, on my part, a last appeal on her behalf: I have the honour to make that appeal where it can be perfectly judged, and will be candidly accepted. Again disclaiming, therefore, every wish to see the Romish Church deprived of any privilege which can be thought necessary to the complete and liberal toleration of its worship, I do not hesitate to conclude that unless some immediate and effetual remedy be applied to the abuses which have been gradually introduced; unless both the positive and relative situation of the Church of England, in this country, be speedily and radically changed, all reasonable hope of maintaining the *Establishment* of that Church will, in my judgment be irrevocably lost.

The Roman Catholic Religion will be to all intents and purposes the established Religion of the Country; rapidly declining, as it should seem, in other parts of the world, it will not only find a safe asylum here, but be raised to the preeminence and laid upon the broadest and most substantial Basis.

Such, Sir, after long and, I think, unprejudiced reflection, upon this subject is my decided opinion.

I have thought it my duty explicitly to state it. But these observations, as well as the measures that I have ventured to suggest, are submitted, with the utmost deference, to Your Excellency's wisdom: And, with the strongest persuasion that

whatever shall appear to involve the real interests, present and future, of the people committed to your care, will be thought not unworthy of your favourable consideration.

I have the honour to be with highest regard, Sir,
Your Excellency's most obedient and humble servant
J. QUEBEC.

Appendix (A).

Upon a moderate calculation, the Settlers in the new Townships may be estimated at from eleven to fifteen thousand. And when it is considered that there are at the present moment thirteen hundred thousand acres of land actually under Patent, and that probably near two millions more will soon be added, it must be evident that at no very distant period, the Protestants in this Province will outnumber the Papists.

With respect to Upper Canada, I have reason to believe, upon the most respectable authority, that the number of people in that Province is from sixty to eighty thousand, and that there is an annual influx of five hundred Families.

Appendix (B).

I have carefully examined the Quebec *Gazette* from the end of the year 1793, and I do not find any instance in which the *Bishops themselves* have assumed these titles before the publication of the Coadjutor's sermon, in Janry., 1799. In June 1794, indeed, Mr. Gravé, a *Frenchman*, giving an account of the death of Mr. Brian "ancien Evêque de Quebec," a *Frenchman* also, in the *Gazette*, stiles him "l'illustrissime et reverendissime Père en Dieu," and Mr. Desjardins, a French Emigré, upon the death of Mr. Hubert, does the same thing. But I am speaking of the open assumption of these titles, and the style of the Diocese by the *Bishops themselves.*

Of French Books advertized, by authority, "à l'usage du Diocèse de Quebec," I find no instance before Sept. 1800, nor of English Books, "for the use of the Diocese of Quebec" before Nov. in the same year. To July 1796 their style was "pour l'usage des Congreganistes," in Feby., 1800, simply "avec approbation."

The annexed extracts (C and D) from the Quebec *Gazette* of the 15th April 1802, and from a supplement of about the same date, will exhibit specimens of the stile now in use.

Appendix (C).

Recemment Publié
& à vendre à la Nouvelle Imprimerie
Une Nouvelle Edition

Des Epitres & Evangiles des Dimanches & Fêtes de l'année, de l'avent, du Carême et des autres grandes Feries, avec de courtes reflections.

L'Imprimeur a cru devoir se borner à donner ici seulement, l'approbation de *sa Grandeur l'Evêque de Quebec* pour faire connaitre la merite et l'utilité de ce livre, dont la rareté dans ce pays l'a engagé à entreprendre l'impression à gros frais; Se reposant sur le zèle des Messieurs du Clergé à repandre cet ouvrage parmi les Fidèles pour lui en assurer le debit.

Approbation
de Monseigneur, l'illustrissime & Reverendissime, Pierre Denaut, Evêque de Quebec.

Nous approuvons la presente Edition des Epitres & Evangiles des Dimanches & Fêtes de l'année avec de courtes reflections, Nous en recommandons la lecture assidue à tous les fidèles de Notre Diocèse. Notre intention est qu'on en fasse usage dans les Ecoles & Catechismes, afin d'accoutumer de bonne heure les enfants de l'Eglise à gouter la celeste nourriture qu'elle leur presente en ce livre divin.

† P. Evêque de Quebec.

Appendix (D).

Le Processional romain *à l'usage du diocèse de Québec*, avec une méthode de plein-chant, même format pour accompagner le graduel et l'antiphonaine.

Grands Catéchismes *à l'usage du Diocèse de Québec*, Petits Catéchismes *à l'usage du Diocèse de Québec.*

An Abridgement of Christian Doctrine *for the use of the Diocese of Quebec.*

The True Catholick's Companion, containing the Holidays of Obligation throughout the *Diocese of Quebec*, &c., and an Abridgement of the Douay Catechism.

No. 3.—LORD HOBART TO LIEUT. GOVERNOR MILNES.

(Canadian Archives, Series Q., Vol. 92, p. 275.)

DOWNING STREET 9th Jan. 1804.

SIR,—After a full consideration of the important topics discussed in the communication of the Bishop of Quebec, which accompanied your Dispatch No. 65. I have the honour to state to you that, with every disposition to pay due attention to the suggestions of so respectable a character, it has not been judged expedient, under present circumstances, to recommend that any question should be agitated which might tend to excite differences between the heads of the Protestant and Roman Catholic Church, and it is therefore extremely desirable that you should point out to the two Bishops the propriety of abstaining from any acts that might have the effect of producing mutual uneasiness, or of creating any irritation in the minds of the clergy or the persons professing the Religions which they respectively superintend.

It will be highly proper that you should signify to the Catholic Bishop the impropriety of his assuming new Titles, or the exercise of any additional Powers; and it would be right that you should intimate to him that, although no express orders have been issued upon the subject, it is expected that if any such have been recently taken up, that they should not be persevered in.

The French Emigrant Priests should also be reminded that their residence in Canada is only upon sufferance, and it is therefor the more incumbent upon them to observe the utmost circumspection in their Proceedings, as they must be aware the indulgence with which they have been treated by the British Government is liable to be withdrawn if they should render themselves undeserving of it by anything questionable in their conduct.

The advantage of uniting the whole Body of Protestant Dissenters both in Upper and Lower Canada, within the pale of the Church of England, is justly appreciated by the Bishop of Quebec, and it is understood that the Protestants in Lower Canada are confined to the Towns, whilst the Body of the People in the Upper Province, chiefly Protestants, are actually estimated at from sixty to eighty thousand in number, with a large annual influx of Families. A consideration arises with respect to the Policy of fixing the seat of the Protestant Church Establishment, and the Residence of the Bishop in that Province. Upon this point I request to receive your sentiments and those of the Bishop, with whom you will naturally consult.

I am to desire that you will obtain and transmit to me for His Majesty's information, a Return of the Incomes of the Livings in Lower Canada, specifying not merely the nominal salaries, but also, as far as it can be ascertained, a full account of the actual Receipts of the several Incumbents derived from their situations.

I have considered, with the attention it so justly deserves, your Dispatch to the Duke of Portland, of the 1st November, 1800, and should be glad to receive from

you any additional light upon the points therein adverted to, and particularly how far any alteration has taken place in Lower Canada since that period, with respect to the Roman Catholic Clergy.

The plan in contemplation for the Establishment and Endowment of an extensive Institution for the purpose of Education in the higher Branches, and which you have been authorized to commence by the erection of Seminaries at Quebec and Montreal, will tend greatly to promote the objects recommended by the Bishop of Quebec.

With respect to the several other matters which he represents as highly interesting to the Protestant Church Establishment in Canada, it appears advisable to suspend any determination concerning them until a more favourable opportunity shall arrive.

No. 4.—CONVERSATION, MGR. PLESSIS AND ATTORNEY GENERAL SEWELL.

(Canadian Archives, Series Q., Vol. 97, p. 175.)

First Report.

To His Excellency Sir ROBERT SHORE MILNES, Baronet, Lieutenant Governor of the Province of Lower Canada &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

In obedience to your commands, I have the honour to report to Your Excellency the conversation which passed yesterday between the Reverend Mr. Plessis, Titular Roman Catholic Bishop of Carrothe,* and myself, upon the present state of the Church of Rome. With the exception of some few remarks upon indifferent subjects, the dialogue was as follows:—

Plessis. I have lately spoken to the Governor respecting the present situation of our Church, and he has referred me to you on the subject.

Attorney General. The Governor has given me permission to explain my own private sentiments on the subject to you; what I think you may ask, and I will answer candidly. But before I state what I have to say, let me observe that the object is of the last importance to your Church, and (I admit also) important to the Government. It is highly necessary for you to have the means of protecting your Church, to the Government to have a good understanding with the Ministers of a Church it has acknowledged by the Quebec Act, and at the same time to have them under its controul. Let me also remark that the Government having permitted the free exercise of the Roman Catholic Religion ought, I think, to avow its officers, but not, however, at the expense of the King's Rights or of the Established Church. You cannot expect, nor ever obtain, anything that is inconsistent with the rights of the Crown, nor can the Government ever allow to you what it denies to the Church of England.

Plessis: Your position may be correct. The Governor thinks the Bishops should act under the King's Commission and I see no objection to it.

Attorney General. My principle is this, I would not interfere with you in concerns purely spiritual, but in all that is temporal or mixed, I would subject you to the King's authority. There are difficulties, I know, on both sides; on one hand, the Crown will never consent to your emancipation from its power, nor will it ever give you more than the rights of the Church of England, which has grown with the Constitution, and whose power, restrained as it is, is highly serviceable to the general interests of the state; on the other hand, your Bishop will be loth to abandon what he conceives to be his right, I mean particularly the nomination to Cures; yet that he must do so, for no such power is vested in the Bishops of England, and if permitted would be highly dangerous.

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* Bishop *in partibus* of Carrothe in Palestine.

Plessis. You said *conceives* to be his right; why so?

Attorney General. The statute of the 1st of Eliz., Cap. 1, made for the dominions which the Crown then had, or might thereafter acquire, explains what I mean. But I shall not conceal my opinion: it is that the Bishop has no *power*, and I shall be happy to shew you the grounds of this opinion at a future day, should anything arise out of this conversation.

Plessis. I know the 1st of Eliz., but I confess I did not know that it was extended to the Dominions which the Crown might thereafter acquire.

Attorney General. It certainly is. It was made at the time when England had most reason to be dissatisfied with the Roman Catholic Religion, immediately after the death of Mary:—It provided for the emancipation of all English subjects from the Papal power in all times and places.

Plessis. Had Mary followed the advice of Cardinal Pole, the Statute never would have been passed; she would not then have disgraced herself and her religion by her cruelties.

Attorney General. Whether he influenced her or not, Mary's conduct tended to establish the reformation most firmly, and happily to blend the Church and State of England as they are at present.

Plessis. How are Rectors (Curés) appointed in England?

Attorney General. Where the King is patron, and he is of all livings not in the possession of individuals, by title, he presents to the Bishop, who, if there be no legal cause of refusal inducts the Clerk presented. If there be cause, he certifies that cause to the King, and if the King is satisfied he presents another, but if not, a writ issues to the Bishop requiring him to certify his cause of refusal into the King's Courts, who try the merits of the refusal and declare it good or bad according to law; on this footing I would place your Church.

Plessis. The King then would become the Collator to every Benefice. The King of France was to Consistorial Offices, but not to Cures.

Attorney General. He was to many Curés, but not to all, because many of his subjects, lay as well as ecclesiastical characters, were the Patrons.

Plessis. The Bishop ought not to be obliged to certify his cause of refusal. In France, where the Patron was a layman, he was bound to present five Clerks successively before the Bishop was obliged to give any reason for refusing them. When the sixth was presented, he was bound to assign the cause of his refusal. If the Patron was an ecclesiastic, he shewed cause on the presentation of the third.

Attorney General. Neither of these rules extended to the King. I think I can shew you that to your satisfaction. It would not be decent to refuse the presentation of the Sovereign, without cause, nor ought a Bishop ever to be ashamed of assigning the reason of his refusal in any case.

Plessis. Presentation by the Crown agrees with the tenets of the Church of England, but not with ours. It would be against our spiritual duty. Bishops in France have always presented to the livings in their dioceses—in the late concordat between the Sovereign Pontiff and Bonaparte, their right to present is recognized.

Attorney General. As to Bonaparte and the Pope I will say nothing,—except that the former (thank God) is no example to us. But I formally deny that it is contrary to receive *a presentation* from the Crown. It was the daily practice in France with respect not only to the Crown but even to private patrons of all descriptions. I am no Catholic, but my professional duty has led me to weigh well this objection according to your own principles. My answer is very short:—The Bishop ordains in the first instance, which qualifies the character for the living:—the Prelate and not the Crown *makes the Priest*: the Crown selects only from your own Priesthood the person whom it thinks fit for the Appointment, and if there be no cause of repeal the Bishop invests him with everything necessary to enable him to perform the functions of his Cure. The reciprocal selection of the person by the Bishop in the first instance for the Priesthood and of the Crown for the living in the second instance preserves a just balance between both.

Plessis. In our Church some orders qualify the individual to say Mass, others confess, others formal.

Attorney General. I beg leave to interrupt you. When the Crown presents a person not admitted to orders sufficient for the appointment to which he is nominated, the Bishop has legal cause to refuse.

Plessis. If the King presents in all cases, the Bishop will never have a chance of advancing a faithful pastor.

Attorney General. The Bishop once acknowledged the *head of his department* will be that in fact. You know the *attention* that ever has been and ever will be paid to the *heads* of departments in our Government. The Bishop's representation to the Government in such a case would secure the promotion of the person he wished to promote.

Plessis. Your Bishop has certainly greater power. The *Gazette* lately informed us that he had presented Mr. Rudd to a living at William Henry.

Attorney General. The *Gazette* is certainly the King's paper, and its contents *generally* to be relied on, and that in this instance is the case. Mr. Rudd has been appointed to William Henry, but it was the Governor, and not the Bishop, who presented him. Be assured that all livings in the Church of England in this Province are in the King's gift.

Plessis. Governors do not always pay attention to the recommendations which they receive. I remember Chief Justice Osgoode complained heavily, that Mr. Perrault had been appointed Prothonotary of the King's Bench, contrary to his recommendation.

Attorney General. Mr. Osgoode's complaint confirms what I say. The conduct observed toward him was an exception to the general rule, and therefore he complained.

Plessis. Our general Church Government is aristocratic, but the Government of a Bishop is monarchical. He has the power of enacting *Reglemens* which must be obeyed. You will not probably admit this position.

Attorney General. The power of a Bishop extends to a forcing by his *Reglemens* the general principles of Government adopted by the Church. He cannot legislate, he can only enforce obedience to what is already enacted, to the Canons and to the Municipal laws of the Country.

Plessis. That is true, but our Canons are different, materially different from yours.

Attorney General. I cannot admit that. It was enacted in the Reign of our Henry the 8th that the Canons then in force and not repugnant to the principles of the reformation should continue in force until a review of them should be made, which never has been accomplished, so that the Church of England is now governed by the Canons in force prior to the reformation, which form the greater and most essential part of the Canons which govern the Church of Rome.

Plessis. You state incorrectly; your Church, for instance, does not acknowledge the Canons enacted by the Council of Trent.

Attorney General. The Gallican Church certainly does not.

Plessis. Yet the Canons of the Council of Trent certainly were in force in France.

Attorney General. Yes, the greater part, but that was because the Kings of France enacted them in their Ordinances. On this head, you cannot suffer, for those Ordinances are at this moment component parts of the Municipal law of Canada.

Plessis. I once saw in the hands of Mr. Ryland (the Governor's Secretary) the King's Instructions, in which it is said that no priest shall be removed from his cure, unless he has been previously convicted, in some of His Majesty's Courts, of felony. There may be many instances, in which a priest ought to be removed, who has not been guilty of felony. The difficulties would be less if the Bishop had a jurisdiction over his Clergy an "officialité," which, perhaps, never would be granted.

Attorney General. I have already requested you to understand that in all I say I speak my own private sentiments and no more. With this remark, I have no hesitation to say that the Government ought in policy to give the Bishop a jurisdiction

lergy, subject always to the controlling power of the King's Bench, and eration of the Writs of Prohibition and Appeal. The Court of the England are subject to the King's Bench.

s. If the Writ of Prohibition is similar to the "Appel comme d'Abus," in t a shadow of authority will remain to the Bishop. Every act of a Bishop tely held in France abuse of his authority and constantly set aside in the ts.

ey General. The Writ of Prohibition is very different from the "Appel bus." By that all questions were reexamined as well in fact as in law. of Prohibition is a Prerogative Writ issued out of the King's Bench to e ecclesiastical and other inferior courts from proceeding in causes institu- them in which they have no jurisdiction or in which they proceed contrary o what Court the Appeal should be is a subject for consideration.

s. You know that all Curés at present are removable at the pleasure of . In the first establishment of this Colony it was otherwise, but after- n the erection of the Seminary of Quebec, Monseigneur De la Val got it is at present. If the King presents, the Curé ought to be removable op's pleasure.

ey General. I think very different. The spirit of the Colonial Institu- s every office during pleasure nominally, but that pleasure is well known during good behaviour, and a rector in England is removable only for t. It seems expedient to me, that a Curé should know his parishioners onsider himself as fixed among them. In times of difficulty a Curé long ith his flock can guide them better than a new comer. Mutual confidence result of a short and transitory acquaintance; and without that nothing an be done by the pastor at such a moment. I will tell you also frankly dependent upon the will of the Bishop, would be little subject to the f Government. If this was the case, the situation of the Curé would not e, nor could you expect that the better class of people would educate their he Church. Your Court of the Bishop would be perfectly unnecessary, resentation of the Crown an idle ceremony, if the Bishop could afterwards hen he pleased.

is. The situation of a Curé under such restriction would be better than, situation of the Bishops of Canada at present. For myself, I have enough, cure which gives me all I want, but Bishop Denaud is in poverty, holding nd acting as a parish priest, in direct contradiction to the Canons.

rney General. My mind upon that subject is completely made up. The ent recognizes your religion and making its officers officers of the Crown, rovide for them as for all others. The Bishop should have enough to m to live in a splendour suited to his rank, and the coadjutor a salary in n.

is. I do not want to see the Bishop in splendour, but I wish to see him nt. I do not wish to see him in the Legislative or Executive Council, but lesiastic only, entitled to the rank which is due to him in society.

rney General. When I said splendour, I qualified the expression, by calling endour suited to his rank." I mean by that, that his income should be that leman, and equal to a proper expenditure. There is in fact no such thing our in Canada.

is. We mean the same thing. But there is a great delicacy in this matter. shop was pensioned and relinquished the right of nominating the Curés, e would not hesitate to say that he had sold his Church.

rney General. To stop the public clamour is a useless attempt. If matters were to be staid for fear of popular abuse, Government would be able to do little; the governed but seldom approve. In our instance, if the matter is s it ought to be viewed, the world must be satisfied that, instead of hing a right you have in fact never to relinquish, you abandon the shadow

receive the substance; surely, this is sufficient answer to any vulgar declamation inst a Bishop who makes terms highly advantageous to his Church and must be isfactory to himself.

Plessis. I don't know; it is his affair.

Attorney General. There is one idea which I wish to suggest. If you ever an to fix the officers of your Church upon any footing, this is the moment. The esent Lieut. Governor is a gentleman of most liberal principles, he has been ng enough in the country to know all that relates to it, is well disposed to serve you, and is on the point of going to England where this matter must be settled.

Plessis. I am well aware of all this. Whatever is to be done must be done now.

Attorney General. If I say what I ought not to say, you will excuse me, but I feel convinced that if you forego this opportunity, it will never return. It is your interest to avail yourself of the present moment, and make the best terms you can.

Plessis. You cannot say anything which can either hurt or offend me. I consider this a free conversation on both sides, for effecting a very important object, which, without an unreserved communication, can never be effected.

Attorney General. I will not take up any more of your time at this moment.

Plessis. I am much obliged by the time you have bestowed on me. Something must be done, and tho' we may differ in the detail, I think we shall not in the outline, and if we do differ we must be temperate, and in that case we shall ultimately agree. I am, however, a subordinate officer, I must first write to the Bishop, and when I know his sentiments I will wait upon you.

Attorney General. Do so, but pray keep in mind what I have said, that you never can obtain anything inconsistent with the prerogatives of the Crown, nor at all events any right that a Bishop of the Church of England does not possess.

All which is most respectfully submitted by, Sir,

Your Excellency's most obedient and most humble servant,

J. SEWELL,
Atty. General, Lower Canada.

Quebec 26 April 1805.

Second Report.

To His Excellency Sir ROBERT SHORE MILNES, Baronet, Lieut. Governor of the Province of Lower Canada &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

I have the honour, in obedience to your commands, to report to Your Excellency the substance of the conversation which passed between Mr. Plessis, the Roman Catholic Bishop of Carrothe and myself on the 21st inst.

He entered at first into a general view of the state of the Roman Catholic Church in this Province, its toleration by law, under the Capitulation and the Quebec Act, and the assistance afforded to its support by this, inferring from thence that it was an established religion, and consequently that the Crown ought not only to recognize its officers, but to invest them with all the powers to which they had formerly been entitled under the Government of France. In answer to this I briefly observed that things were so much changed since that period, by the introduction of a Protestant Government, that no idea of the kind could be entertained for a moment. I recalled to his recollection what I had said in our first conversation, respecting the Church of England, and asked if he conceived it possible for the Roman Catholic Church to obtain what was denied to the National Establishment, intimating to him at the same time that he ought to be contented with much less.

In the further progress of our conversation he entered into a specific enumeration what the members of the Church thought themselves entitled to, and I shall

detail his demands with my answers, generally, but as accurately, and at the same time as distinctly as I can. Our Dialogue was too long to admit an attempt on my part to relate it more particularly.

1st. "That the Bishop should be created a Corporation by some title which "would distinguish him from the Protestant Lord Bishop of Quebec."

To this I answered, That there was no Catholic Bishop of Quebec, nor could the Government, in my opinion, recognize such a character, without an Act of the Imperial Parliament. That a Superintendent of the Roman Catholic Church might be appointed, and an Assistant Superintendent, with such salary, rank and precedence as the Crown might think fit to grant, and that such titles would sufficiently distinguish them from the said Bishop of Quebec. That they would be civil officers of the Crown, and might take in silence from the Pope such ecclesiastical qualifications as in conscience they might require to enable them to execute the duties of their Ministry. That I could say nothing about their corporate capacity, but conceived that their offices, like all other Colonial appointments, would be held during pleasure.

2ndly. "That the Bishop should appoint his own Grand Vicaires and Subordi- "nate Officers."

To this I answered that I saw no material objection, provided it was done in each instance with the approbation of the Governor, and that the appointments were for spiritual purposes only. That the Lord Bishop of Quebec was authorized by Letters Patent to appoint his Commissaries, but that it was a point of importance which would require consideration.

3rdly. "That the Bishop should have an Ecclesiastical Court for the Government "of his Clergy."

Upon this head, I referred him to our first conversation, adding that my opinion was still the same,—That Government ought in policy to give the Bishop a Jurisdiction over his Clergy, subject to the controuling power of the King's Bench, by the Writ of Prohibition &c. and to the revision of his Sentences by Writ of Appeal.

4. "That the Bishop should have authority to superintend and direct the adminis- "tration of the revenues of the religious Communities."

To this I answered, That the revenues of the religious Communautés, so long as they remained, was their own. That their submission to the Bishop as their spiritual director, would very nearly effect all that he could desire. But I requested him at the same time to observe, that no arrangement which he might make with the Executive Government could change the law in this respect,—That the King was legally the visitor of every *communauté*, and if he thought proper to delegate his authority to the Bishop, that it must necessarily be exercised subject to his controul, in such way as he might see fit to appoint. I added that I saw no objection to its being so delegated.

5thly. "That the Bishop should be empowered to regulate the fees to be received "by Curés upon Baptisms, Marriages, Funerals" &c.

To this I answered that by the Edict of 1695, the Bishops of France had been authorized to fix the fees to be taken by Curés upon the celebration of Marriage &c. notwithstanding the Ordinance of Blois, but that this Edict had been enactment subsequent to the establishment of the Sovereign Council of Quebec, and not being enregistered by that Council was not in force in Canada. That by the Ordonnance de Blois it was enacted that the usage of each particular parish should decide the quantum of fees to be taken in such cases by the curé, and that this was the law of Canada upon this subject at present, as the Ordonnance de Blois had been enacted before the establishment of the Sovereign Council, and was a part of the system with which the first Colonists emigrated from France. That it was not in the power of the Executive Government to change the law in this respect.

6. "That the Bishop should finally audit and controul the accounts of all moneys "expended in the building and reparation of Churches and parsonage houses" &c.

I answered that all contestations respecting the building and reparation of Churches &c. were by law cognizable in the King's Courts, and that they in my

inion were the proper *final* auditors of all accounts of moneys so expended. That ch expenditures were in fact taxes levied upon the parishioners for their use, under e authority of the Civil Law of the Province, and that the syndics of every parish ere, in my opinion, answerable to the Parish in an Action of Account for every enny that came to their hands either for building or reparation. That I did not herefore see how such a power could be vested in the Bishop by grant from the Crown.

7. "That the Bishop should retain the nomination to livings, but not present "without the concurrence of the Governor."

I answered that this was impossible. That the nomination and presentation must remain in the Crown exclusively.

8thly. "That livings should not be permanent but held during pleasure."

I answered, by referring him to what I had said upon this point at our first interview. That nominally a living should be held during pleasure, which should continue unquestionably, during good behaviour.

9. "That the Bishop should have two or more Coadjutors."

I answered that one was sufficient and he could not expect more.

10. "That the Salary or Pension to the Bishop should be £1500 and to the "Coadjutor £750 pr. ann."

I answered, That upon this point I could not say anything, but that I had every reason to presume that Government would be liberal.

11. "That the School Act should be reversed and the Superintendence of pro- "testant Schools vested in the Lord Bishop of Quebec, and the superintendence of "Catholic Schools in the Catholic Bishop of Quebec."

I answered very briefly that this was impossible.

12. "That the Bishop should be empowered to erect parishes."

To this I answered, That the right of erecting parishes was clearly vested in he Crown exclusively, which was an authority common to the Church of England nd the Church of Rome. That parishes were certainly ecclesiastical divisions of he Province, but there was an absolute necessity that every circuit of land which became a parish should be and remain forever a parish as to both Churches, much ivil matter being engrafted upon them which had equal relation to both. That he power of dividing the Province into Parishes for the service even of the Estab- lished Church not being vested in the Lord Bishop of Quebec could not be granted o the Titular Catholic Bishop.

All which, nevertheless, is most respectfully submitted by, Sir,

Your Excellency's most obedient and most humble servant

J. SEWELL

Quebec, May 1805. *Attorney General.*

No. 5.—LIEUT. GOVERNOR MILNES TO LORD CAMDEN.

(*Canadian Archives, Series Q., Vol.* 98, *p.* 5.)

Quebec 27th July 1805

My Lord,—It is with the highest satisfaction that previous to my departure from Quebec, I am enabled to transmit to Your Lordship the Petition of Mr. Denaut to His Majesty which I have the honour to enclose, and which I flatter myself will give an opening to the final arrangement of those objects with regard to the Roman Catholic Clergy which I have had in view for several years past, and had the honour to submit to Your Lordship's consideration in my dispatch No. 28.

I feel myself called upon in justice to Mr. Denaut to state to Your Lordship that I have found him uniformly candid and open in the course of several conversations we have had on this subject, and I believe there is no man more truly attached to he Government than he is.

Your Lordship will observe that in signing the inclosed Petition to His Majesty, Mr. Denaut styles himself "Bishop of the Roman Catholic Church," and prays that e may be formally acknowledged as "Bishop of the Roman Catholic Church of

Quebec," a title by which he is not acknowledged in the King's Instructions to th Governor where he is only called Superintendent of the Romish Church.

But, though the title is not allowed by the Instructions, it has always been use in courtesy, except in official letters from the Governor, and Mons. Denaut, as we as his Predecessors, has usually been addressed by the Title of Monseigneur, not onl by the society in general but also by the Persons administering the Government. have endeavoured to make M. Denaut understand the due distinction, but as he ha always been in the habit of signing as Bishop of Quebec, I did not insist on different signature from the present, being unwilling on this occasion to hurt th feelings of a man of his advanced age who has in this instance conducted himse with so much propriety.

(*Original.*) *Enclosed.*

(*p.* 8.) REQUÊTE DE MGR. DENAUT AU ROY.

A Son Très Excellente Majesté du Roi. L'humble Requête de Pierre Denaut Evêqu de l'Eglise Catholique Romaine,

Lequel prend la liberté de s'approcher du Trône de Votre Majesté pour lui re contrer très respectueusement.

Que la Religion Catholique Romaine ayant été introduite en Canada avec se premiers Colons, sous l'ancien Gouvernement de France, l'Evêché de Québec fu erigé en mil six cent soixante-quatre, et a été successivement rempli par des Evêques dont le sixième est mort en mil sept cent soixante, époque de la Conquête de ce pay par les armes de Votre Majesté.

Que depuis cette date, les Catholiques, qui forment plus de dix-neuf vingtième de la population de Votre Province du Bas Canada, ont continué, par la Bonté d Votre Majesté, d'avoir des Evêques, lesquels, après le serment d'Allegiance, prêt entre les mains des Représantants de Votre Majesté en cette Province en Conseil, ont toujours exercé leurs fonctions avec la permission de Votre Majesté et sous la Protection de différens Gouverneurs, qu'il a plû à Votre Majesté d'établir pour l'administration de cette Province, et que votre suppliant est le quatrième Evêque qui conduit cette Eglise, depuis que le Canada est heureusement passé à la Couronne de la Grande Bretagne.

Que l'extension prodigieuse de cette Province, et l'accroissement rapide de sa population exigent plus que jamais que l'Evêque Catholique soit revêtu de tels droits et Dignité, que Votre Majesté trouvera convenable pour conduire et contenir le Clergé et le Peuple, et pour imprimer plus fortement dans les esprits ces principes d'attachement et de Loyauté envers leur Souverain et d'obéissance aux Loix, dont les Evêques de ce Pays ont constamment et hautement fait profession.

Que cependant, ni votre suppliant qui conduit depuis huit ans cette Eglise, ni ses prédécesseurs depuis la Conquête, ni les Curés des Paroisses, n'ont eu de la part de Votre Majesté, cette autorisation spéciale, dont ils ont souvent senti le besoin, pour prévenir les doutes qui pourroient s'élever dans les Cours de Justice, touchant l'exercise de leurs fonctions civils.

Ce considéré, qu'il plaise à Votre Majesté de permettre que votre suppliant approche de Votre Majesté, et la prie très humblement de donner tels Ordres et Instructions, que dans sa sagesse Royale, Elle estimera nécessaires, pour que Votre suppliant et ses successeurs soient civilement reconnu comme Evêques de l'Eglise Catholique Romaine de Québec, et jouissent de telles prerogatives, droits et émolumens temporel que Votre Majesté voudra gracieusement attacher à cette Dignité.

Pour plus amples détails votre suppliant prie Votre Majesté de s'en rapporter aux informations que Son Excellence Sir Robert Shore Milnes Baronet le Lieutenant Gouverneur de Votre Majesté en cette Province veut bien se charger de donner à Votre Majesté.

Et Votre Suppliant continuera d'addresser au Ciel les vœux les plus ardens pour la prospérité de Votre Gracieuse Majesté de son Auguste Famille et de son Empire

PIERRE DENAUT

QUÉBEC, 18 juillet 1805. *Evêque de l'Eglise Catholique Romaine.*

As my departure from Quebec is fixed for the beginning of next month, the multiplicity of Business which arises at this moment will not allow me sufficient time to enter at length into every particular relating to this most interesting subject which includes so many various points of consideration, I shall therefore defer troubling Your Lordship any further at present in the hope of being allowed to lay them personally before you, or, if Your Lordship should permit me, to furnish you on my arrival in England with such statements as Your Lordship may desire to have.

I have the honour to be, My Lord,
Your Lordship's most obedient and most humble servant
ROBT. S. MILNES.

(Translation.)

PETITION OF MGR. DENAUT TO THE KING.

To His Most Excellent Majesty the King, the humble petition of Pierre Denaut, Bishop of the Roman Catholic Church,

Who takes the liberty to approach Your Majesty's Throne to represent most respectfully,

That the Roman Catholic Religion having been introduced into Canada with its first settlers, under the former Government of France, the Bishopric of Quebec was erected in sixteen hundred and sixty-four, and has been successively filled by Bishops, of whom the sixth died in seventeen hundred and sixty, the date of the conquest of this country by Your Majesty's arms.

That since that date, the Catholics, who form upwards of nineteen twentieths of the population of your Province of Lower Canada, have continued, by Your Majesty's goodness, who, after taking the oath of allegiance before Your Majesty's representatives in this Province in Council, have always exercised their functions with Your Majesty's permission and under the protection of different Governors, whom it has pleased Your Majesty to appoint for the administration of this Province, and that your petitioner is the fourth Bishop who directs this Church, since Canada happily passed to the Crown of Great Britain.

That the prodigious extension of this Province and the rapid increase of its population require more than ever that the Catholic Bishop should be invested with such rights and dignity, as Your Majesty may think suitable to direct and rule the Clergy and the people, and to impress more strongly on their minds these principles of attachment and loyalty towards their Sovereign and of obedience to the laws, which the Bishops of this country have constantly and strongly professed.

That nevertheless neither your petitioner, who for eight years has guided this Church, nor his predecessors from the Conquest, nor the rectors of parishes, have had from Your Majesty that special authorisation, of which they have frequently felt the need, to prevent the doubts which might arise in the Courts of Justice in respect to the exercise of their civil functions.

Wherefore may it please Your Majesty to permit your petitioner to approach Your Majesty, and to pray him humbly to give such orders and instructions, as in his royal wisdom he may deem necessary, that your petitioner and his successors be civilly recognised as Bishops of the Roman Catholic Church of Quebec and enjoy such prerogatives, rights and temporal emoluments as Your Majesty shall graciously attach to that dignity.

For fuller details, your petitioner prays Your Majesty to refer to the information which His Excellency Sir Robert Shore Milnes, Baronet, Your Majesty's Lieutenant Governor may undertake to give to Your Majesty.

And your petitioner shall continue to address to Heaven the most ardent prayers for the prosperity of Your Gracious Majesty, of his august family and of his Empire.

PIERRE DENAUT
Bishop of the Roman Catholic Church.

NOTE D.

POLITICAL STATE OF UPPER CANADA IN 1806-7.

No. 1.—ALEXANDER GRANT, PRESIDENT, TO LORD CASTLEREAGH.

(Canadian Archives, Series Q., Vol. 304, p. 10.)

(No. 14.) YORK, UPPER CANADA 14th March, 1806.

MY LORD,—It will be necessary for me to submit a short statement of the Revenue of this Province for the better understanding the purport of an address of the House of Assembly and the schedule of Accounts to which it refers, with my answer thereto, which I have now the honour to transmit to your Lordship.

The Revenue of this Province arises in part from certain Duties, which previous to the eighteenth year of His Majesty's Reign, had been imposed on the Province of Quebec by the authority of the British Parliament, and partly from Taxes and Duties imposed by the Legislature of this Province, together with an eighth part of the Duties laid on Goods imported into Lower Canada under the authority of its Legislature by virtue of an agreement between the two Provinces.

From the establishment of this Province to the year 1803, the Taxes and Duties imposed by its Legislature, together with the eighth part of the Duties above mentioned, amounting to about three thousand Pounds annually, were considered as solely at the disposal of the Parliament of this Province, and were, for the greater part, from year to year, appropriated by it for specific purposes within the same, the Residue of such Taxes and Duties remaining in the hands of the Receiver General, subject to future appropriations by the same authority.

In 1803, by direction of Lieutenant Governor Hunter, accounts of a nature similar to those stated in the before mentioned schedule (being expenses incidental to the administration of Justice and the Civil Government of the Province) were charged against and paid out of the Residue in the hands of the Receiver General, without any appropriation by the Legislature of the Province for that purpose.

For two years such charges were laid before that Legislature, and no complaint was made for the want of Parliamentary appropriation of the above mentioned Residue. When the Administration of the Government of this Province devolved on me, confiding in the Judgment and Ability of Lieutenant Governor Hunter, I did not feel myself at Liberty, in my Temporary situation, to discontinue what he had authorized.

In what manner the House of Assembly considered this matter at the last session of the Legislature, the address sufficiently indicates; the answer given by me to that address was, to the best of my judgment, suited to the occasion.

The Language of that address is intemperate, especially when the Bounty of Great Britain to this Province is taken into consideration. But I should be sorry if your Lordship supposed that the Members of the House of Assembly for the greater part are inimical to the measures of Government, they wish to do what is right, but sequestered from the World, and some of them not having had the benefit of a Liberal Education, they are ready to be too easily influenced by the persuasion of others who, by their means, endeavour to perplex, if not to distress, the administration of the Government of this Province.

I must, however, respecting the subject of the address, candidly confess, and since the prorogation of the Legislature, I have taken every means to be informed, that I cannot discover any authority by which the Governor, Lieutenant Governor, or person administering the Government, possesses the power of appropriating to

specific purposes any part of the Revenue raised for this Province by the Acts of its Legislature, without the assent of that Legislature to such appropriation. I therefore cannot help offering it to your Lordship, after the best consideration that I am able to give this subject, as my opinion, that matters should be put on the same footing as they were, from the establishment of the Province to the year 1803, and that the items of expenditure charged in the year 1805, mentioned in the address of the House of Assembly, and stated in the schedule, should be withdrawn as charges against the Taxes and Duties imposed by Provincial authority; this would give complete satisfaction, and I have little doubt, but that in such case, as in Lower Canada, the Legislature would appropriate a sum, according to its abilities, for the support of the Civil Government of this Province, out of the Revenue which is raised by its authority: I make this observation with the greater confidence, as One hundred Pounds Currency has last Session of the Legislature been appropriated out of the Revenue for the payment of the Salaries due to the Sheriffs of the Eastern and Western Districts of this Province, which salaries were not, nor ever had been, charged against that Revenue in the Public accounts.

I will, so soon as they can be prepared, transmit to your Lordship, the Acts passed in the last Session of this Legislature.

I have the Honour to be,
My Lord,
With every sentiment of obedience and Respect,
Your Lordship's most obedient and Most Humble Servant,
ALXR. GRANT, *President*,
Administering the Province of Upper Canada.

No. 2.—ADDRESS OF THE LEGISLATIVE ASSEMBLY OF UPPER CANADA.

(*Page* 15, *enclosed in President Grant's letter*, *p.* 10.)

To His Honour, ALEXANDER GRANT Esquire, President, Administering the Government of the Province of Upper Canada &c. &c. &c.

MAY IT PLEASE YOUR HONOUR,—

We His Majesty's most dutiful and loyal subjects the Commons of Upper Canada in Parliament assembled, have, conformably to our early assurance to your Honour, taken into consideration the Public Accounts of the Province; and have, on a due investigation of the same, to represent to you the first and most constitutional privilege of the Commons has been violated in the application of Moneys out of the Provincial Treasury to various purposes, without the assent of Parliament or a vote of the Commons House of Assembly.

To comment on this departure from constituted authority and fiscal establishment must be more than painful to all who appreciate the advantages of our happy constitution; and who wish their continuance to the latest posterity: but however studious we may be to refrain from Stricture, we cannot suppress the mixed emotion of our relative condition. We feel it as the representatives of a free people. We lament it as the subjects of a beneficent Sovereign, and we hope that you in your relations to both will more than sympathize in so extraordinary an occurrence.

We beg leave to annex hereto a schedule of the Moneys so misapplied, amounting to Six hundred and seventeen Pounds, thirteen shillings and seven pence, and we trust that you will not only order the sum to be replaced in the Provincial Treasury, but will also direct that no moneys be issued thereout in future without the assent of Parliament, or a vote of the Commons House of Assembly.

ALEX. McDONELL,
Speaker.

Commons House of Assembly March 1st 1806

73—3

SCHEDULE of Moneys paid out of the Provincial Treasury in the year end February 1806, without the Consent of Parliament or a vote of the Con House of Assembly.

Mr. John Bennett Government Printer being the amount of his salary as Government Printer and the Rent of an office from the 1st January to the 30th June, 1805 inclusive	£50	0	0
Mr. Hugh McLean being his half yearly allowance as Usher of the Court of King's Bench from 1st January to 30th June 1805 inclusive	5	0	0
Mr. Isaac Pilkington being his half yearly allowance as Keeper of the Court of King's Bench from 1st January to 30th June 1805 inclusive.	5	0	0
Mr. John Bennett Government Printer being the amount of his acconnt for Printing Proclamation, Licences and Laws of the first session of the 4th Provincial Parliament of this Province and Publications in the *Gazette* &c between the 1st January and 30th June 1805 inclusive	63	5	10
William Jarvis Esq, Secretary of the Province, being the amount of his Fees in divers public Instruments &c between the 1st January and 30th June 1805 inclusive	38	4	0
David Burnes Esquire clerk of the Crown and Pleas equal to £8 sterling being the amount of his contingent account between the 1st January and 30th June inclusive	8	17	9¼
William Jarvis Esquire, Register of the Province being the amount of his Fees on divers public Instruments &c. between the 1st January and the 30th June 1805 inclusive	4	15	9
Thomas Scott Esquire Attorney General equal to £32.4 sterling being the amount of his contingent account between the 1st January and 30th June 1805 inclusive	35	15	6½
William Samuel Curry, Esquire, Administrator to the Estate of the late Lieut. Governor Peter Hunter Esquire—Being the amount of Fees on divers public Instruments due to the said late Lieutenant Governor Peter Hunter Esquire from the 1st January to the 30th June 1805 inclusive	42	0	0
Mr. John Bennett Government Printer. Being the amount of his Salary as Government Printer and the Rent of an Office from 1st July to 31st December 1805 inclusive	50	0	0
Mr. Hugh McLean. Being his half yearly allowance as Usher of the Court of King's Bench from the 1st July to 31st December, 1805 inclusive	5	0	0
Mr. Isaac Pilkington. Being his half yearly allowance as Keeper of the Court of King's Bench, from the 1st July to the 31st December 1805 inclusive	5	0	0
Mr. John Bennett Government Printer being the amount of his account for printing Notices, Licences, Money Warrants, Proclamations and Bonds between the 1st July & the 31st December 1805 inclusive	11	15	0

D'Arcy Boulton Esquire Solicitor General, equal to £30 18s Sterling. Being the amount of his Contingent account, from the 1st July to the 31st December 1805 inclusive.....	34	6	8
William Jarvis Esquire Secretary of the Province. Being the amount of his Fees on divers public Instruments between the 1st July and the 31st December 1805 inclusive.....	43	11	0
William Samuel Curry Esquire, Administrator to the Estate of the late Lieutenant Governor Peter Hunter Esquire. Being the amount of fees on divers public Instruments due to the said Lieutenant Governor from the 1st July to the 31st of August 1805... .... (21st?)	70	0	0
William Jarvis Esquire, Register of the Province. Being the amount of his Fees on divers public Instruments between the 1st July and the 31st December 1805 inclusive.....	7	4	3
William Allan Esquire. Being the amount of Fees on divers public Instruments due to Mr. President Grant between the 11th September and the 31st December 1805 inclusive.....	24	0	0
Thomas Scott Esquire, Attorney General, equal to £86.6 Sterling. Being the amount of his Contingent account between the 1st July and the 31st December 1805 inclusive.....	95	17	9¼
Mr. William Smith. Being for materials furnished and repairs made to the Passage of Communication between the two Houses of the Legislature.	18	0	0
	£617	13	7

No. 3.—ANSWER BY PRESIDENT GRANT.

(*Page* 20, *enclosed in President Grant's letter, p.* 10.)

Gentlemen of the Commons House of Assembly.

I learn with Regret from your Address of the 1st of March, that a Degree of Dissatisfaction prevails in the Commons House of Assembly, with respect to the application of a Sum of Money, stated to amount to Six hundred and seventeen Pounds, thirteen shillings and seven pence. At the time of my accession to the Administration of the Government, I found that various Items, similar to those in the Schedule accompanying your Address, had been charged against the Provincial Revenue, and acquiesced in for two years preceding, and I directed the usual mode to be followed in making up the accounts which I ordered to be laid before you during the present Session. The money in Question has been undoubtedly applied to purposes useful and necessary for the general concerns of the Province. As I am however desirous to give every reasonable satisfaction to the House of Assembly, I shall direct the matter to be immediately investigated, and if there has been error in stating the Accounts, take measures to have it corrected and obviated for the time to come.

ALEX. GRANT.

YORK, UPPER CANADA
3rd March 1806.

No. 4.—MEMORANDUM ON ASSEMBLY'S ADDRESS.

(*Canadian Archives, Series Q., Vol.* 304, *p.* 22.)

Upper Canada.

Upon the accession of Mr. Grant to the Chair of the Council, and the administration of the Government upon the death of the Lieutenant Governor General Hunter, he put himself into the hands of the confidential friends of the deceased, and swerved from no rule practiced upon during his life. There is an annual for carrying into effect the Gaol delivery throughout the Province which has usually been paid by the Governor's warrant on the Receiver General, and by him accounted for to the Legislature without any previous appropriation. I believe it has been usual to charge the Contingencies of the Governor's Office, Proclamations, Opinions, &c., to another account controlled only by the Treasury. The General had been advised to a measure of some delicacy, to force patentees to come forward and pay for their patents. This measure had occasioned a sensation so lively throughout the Province that it was thought expedient immediately after the death of General Hunter, to modify or depart entirely from its execution. Under such circumstances, it was doubtless imprudent to call upon the Assembly for payment of the charge incurred in the abortive proceeding; but the friends of General Hunter thought proper to keep the transaction out of view, and warrants were granted by Mr. President Grant, for the payment of these sums, precisely as it had been usual to grant them for defraying the charge of carrying Justice into the District; had they not been blended, I apprehend, no exception would have been taken to the irregularity, or want of a specific appropriation for the service of the Colony. But unfortunately, war had been declared by one part of his Majesty's Servants against the other, and this indiscretion was seized upon as a means of annoyance. The Terms of the address occasioned Indignation among some, and alarm among others, of the president's friends, when neither was necessary. Mr. Atty. Gen. called upon me with the address and proposed answer. The latter was weak and wavering, where it should have been manly and firm, and *e contra* was peremptory and pledged the Government on a point out of its control. I remarked these errors to Mr. Attorney who acquiesced, and urged me to give him, on paper, my Idea of the proper answer. I did so, but to my great surprise learned that it had been overruled, and the President sent the answer, which occasions the Doors of the House to be shut against the usher when he came to summon its attendance on the Chair for prorogation. I took the liberty to observe to Mr. Atty. Gen., that the Executive Government should never be permitted to descend from its elevation to equivocate with the Commons; that if error had been committed, it should be frankly acknowledged, but by way of cure they should never resort to promise, or even Insinuation of address (redress?) which they could not absolutely command; upon this principle, I condemned the hesitation to admit the facts, which they knew to have been truly stated by the Commons and that they should have pledged themselves to refund, having as little right to appropriate the moneys of Great Britain as of the Colony, without authority. I therefore gave him a draft, the substance of which accompanies this, and I recommended to the consideration of the Administration, one plain Rule of Conduct, always to examine how every Proposition may affect the prerogative of the Crown, or the welfare of the Mother Country, and, then, how to give it effect, with the least Injury to the real Good, the feelings and prejudices of the Colonist. I have reason to suppose that had my advice been adopted, the president would have gained a victory, for in talking over the business with some of the Members after prorogation they assured me that a large majority would have voted not only the requisite contingent, but thanks to the president for his candour and prudent counsel; and Mr. Gore would have been saved the perplexity entailed on him by leaving the subject open to controversy at the present session.

W. D. P.
(*William Dummer Powell.*)

No. 5.—PROPOSED ANSWER TO THE ADDRESS.

(Canadian Archives, Series Q., Vol. 304, p. 26.)

GENTLEMEN,—In answer to your address on the subject of the disbursement of certain sums of money amounting to £——, without authority from the Legislature, I can only say that on being called to the administration of the Government on the decease of Lieut. General Hunter, I found the practice established and pursued it.

I shall lose no time in transmitting your address to the Secretary of State, to be laid before His Majesty, and doubt not but that orders will be received, to replace those moneys at the disposal of the Legislature.

But, Gentlemen, I cannot forbear submitting to your serious consideration, whether it would not best become the dignity of the Commons House of Assembly to cover by a vote, such part of this expenditure as is admitted to have been made, for purposes purely provincial and, before you separate, to provide, with the concurrence of the other Branches of the Legislature, for similar contingencies during the current year.

No. 6.—LIEUTENANT GOVERNOR GORE TO MR. WINDHAM.

(Canadian Archives, Series Q., Vol. 305, p. 45.)

(Extracts.)
(No. 6.)

YORK, UPPER CANADA,
1st October, 1806.

SIR,—Altho' from my short residence here, I am unable to lay before you an accurate account of the present situation of this Province, yet I think it proper to mention such particulars concerning it, so far as my own observation, and information on which I think I can depend, have enabled me to collect.

It is stated to me that the Inhabitants of this Province may be arranged under the following divisions:—

1st. Such persons and their descendants who took up arms in the Royal Cause, during the American War, together with others, who then on account of their loyalty, were compelled to seek for protection under the British Government.

2nd. Persons who have emigrated from Europe, chiefly from the Northern parts of Scotland.

3rd. Emigrants from the United States of America.

There are also an inconsiderable number of Germans, with a few French emigrant followers of Count de Puisaye to be added to the number.

With respect to the first of these divisions, I am informed that, in general, they live comfortably, and that some of them, comparatively speaking, are opulent; it is from them that the Magistrates, Clerks of the Peace, and other Civil Officers in the respective districts of this Province are selected, many of them being Americans, are skilful in clearing the Land, a species of knowledge so highly advantageous in this country.

The second division of Inhabitants are stated to me to be but indifferent Farmers, but that by extreme frugality, the greater number of them have rendered themselves comfortable and independent; They are of the Roman Catholic Religion, guided and influenced very much by a Missionary Priest, by the name of McDonell, formerly chaplain of Glengarry Fencible Regiment, of whom I have received a very favourable character, that Gentleman has, I am told, a plan to propose, of settling some of the children of those Emigrants near to the seat of Government, which is a measure that appears to me to be extremely desirable.

The last Division, viz., Emigrants from the United States of America, have not all of them been represented to me in the same favourable point of view some indeed of that description, viz., Quakers, Dutch farmers from Pennsylvania

and many others have, it is said, proved peaceable and Industrious settlers, but it is stated also, that there are a considerable number from that Country of a different description, who have come here adventurers, and have brought the very worst principles of their own Constitution along with them, and from what I have experienced, even during my very short residence here, endeavour to oppose and perplex His Majesty's Government.

It may perhaps be an object worthy of consideration, whether Lands here should continue to be bestowed, perhaps too liberally, for the inconsiderable sum of sixpence an acre, under the unpopular name of Fees, which is the only inducement to persons of the above description to settle in this Colony; and whether it might not be better to sell the Lands for a fixed, but moderate, price, as I am informed is the case in some of the American States and also in Lower Canada.

With respect to the followers of the Count de Puisay, their number is extremely inconsiderable; they live quietly, but some of them not very comfortably, such of them as have applied to agriculture have, it is said, suffered inconveniences from their want of skill in clearing the Lands.

Having made such enquiries as I thought necessary, respecting the Inhabitants, I must turn my attention to the Roads, or rather communications, within this Province, for the making what correctly speaking can be called Roads, is far beyond the present strength and means of the Colony. The Provincial Legislature, last Session, appropriated sixteen hundred pounds of this currency for that purpose; on that head it has been represented to me, that great part of the communications have been offered by settlers on the next adjoining Farms, and that the large Grants of waste Land, which have been obtained by persons not residing in the Province, have in many parts been found an insurmountable barrier to this very necessary species of improvement.

In justice to the Executive Government, I must observe that Mr. President Grant, with the advice of his Council, divided the Tract of Land lately purchased from the Mississagua Indians into lots containing each of them two hundred acres, which have been granted with an express condition, that no settler should obtain a Patent for the Lot which he might occupy, until such settler should build a House of certain dimensions, clear a certain quantity of Land, as well as that part of a Road, or communication to be made next adjoining to such Lot, and such is the advantageous situation of that Tract, that the Executive Government have already found settlers to occupy nearly every Lot, and it will soon, I trust, afford a most ample supply of Provisions for the seat of Government.

* * * * * * * * * *

Respecting the Indians, I shall only at present observe, that their conduct is harmless, that they look up to the British Government for protection, and unless when misled by evil disposed persons, are perfectly ready to comply with whatever Government may desire, such persons, however, I am told, are not wanting to deceive them.

I have thus endeavoured to lay before you a faithful representation of some particulars respecting the present knowledge of this Colony, so far as they have come to my knowledge or observation, but I cannot conclude without mentioning that I am informed (for as yet I can speak but from observation) that by far by far the greater part of the Inhabitants of this Province are quiet and industrious.

In the meanwhile, with other Investigations, I shall make it my business to discover the plans the late Lieutenant Governor meant to have pursued, to whose exertions, I have every reason to believe, however unpleasant they may have been to some Individuals, this Province is under the highest obligations.

I have the honour to be, Sir,
With great respect,
Your most obedt Servant
FRANCIS GORE, *Lt. Gov.*

No. 7.—JUDGE THORPE TO EDWARD COOKE, UNDER SECRETARY.

(Canadian Archives, Series Q., Vol. 305, p. 86.)

YORK, UPPER CANADA,
24th January, 1806.

DEAR SIR,—For the last time, I must trespass on your time for five minutes, as I think it my duty to inform you on the situation of this Colony, before the new Governor leaves you; from a minute enquiry for five months, I find that Govr. Hunter has nearly ruined this province, his whole system was rapaciousness, to accumulate money by grants of land was all he thought of; the loyalist that was entitled to land without fees, could not get any, but the alien that could pay was sure of succeeding; unjust and arbitrary, he dissatisfied the people, and oppressed the officers of Government, he had a few Scotch instruments about him (Mr. McGill and Mr. Scott) that he made subservient to his purposes, and by every other individual he and his tools were execrated. Nothing has been done for the Colony, no roads, bad water communication, no Post, no Religion, no Morals, no Education, no Trade, no Agriculture, no Industry attended to; Mr. McGill and Mr. Scott have made a person of their own President, the same measures are followed up, and the effects will soon appear, for every thing *you wish* will be defended, and the Houses of Assembly will feel their power, which is always (in the Colonies) a bad thing; all this, and much more, you will soon know, therefore in this state of things, I think it absolutely necessary to set about conciliating the people in every way. I have had some public opportunities which did not escape me, and in private I will cultivate all that are deserving, or that can be made useful; by which means I now pledge myself to you, that whoever comes out shall find everything smooth, and that in twelve months or less, I will be ready to carry any measure you may desire through the Legislature; all this I state on the supposition that Ld. Castlereagh will not be induced to place any one over me on the Bench, but if Parliamentary interest should prevail on him to neglect my exertions, I must entreat of my friends to beg of his Lordship to remove me to any other place, where I can do my duty and render some service.

I have the honour to be, Dear Sir,
With respect and regard, your truly obliged and
Obedient, humble servant,
ROBT. THORPE.

P.S. I hope for the sake of England and the advancement of this Colony that the new Governor will be a Civilian and a politician, it is worth four thousand a year. The Lower Province six thousand—there might be two good military appointments, a Lieutenant General below, a Brigadier here.

From the Gentleman having delayed who was to take this to New York, I have an opportunity of stating that the Clerk of the Crown is dead.

5th February, 1806. The Houses of Assembly are sitting and from want of a person to direct, the lower one is quite wild, in a quiet way I have the reins so as to prevent mischief tho' like Phaeton I seized them precipitately. I shall not burn myself & hope to save others.

No. 8.—JUDGE THORPE TO LORD CASTLEREAGH.

(Canadian Archives, Series Q., Vol. 305, p. 90.)

YORK, UPPER CANADA, March 4th, 1806.

MY LORD,—I feel it absolutely necessary to inform Your Lordship on the wretched state of this Province; a weak Government has made the House of Assembly strong, and instead of conciliating and reconciling, a sudden prorogation has exasperated in such a manner that appeals will be made to the people; the situation of a new Governor will be most disagreeable, and as I am certain the members will return next year in the utmost violence, it will be fortunate if the Governor has not left London that he may read the Journals of the House and take your Lordship's opinion on the claims of the Loyalists, the Military claimants, the increased Fees, the distribution of them and the Publick accounts.

The system of the last Government was extortion and oppression, carried with a strong arm, the desire of the present was to continue it, but from the imbecility of those directing everything has been exposed; my Lord, I perceived what would happen and considered it my duty to gain the good opinion of the people, and the confidence of the representatives, that I might assist in repressing violence and restoring harmony; in this I have succeeded so completely that if the Governor will only yield a little, I will promise your Lordship to ensure his comfort.

A Bill came from the Secretary of State to enable aliens to hold Royal Grants, which was so badly managed, that the House of Assembly would not suffer it to be read, but if it is an object with your Lordship, by a little modification we can get it carried; also the Government have been long desired to attend to the culture of Hemp, but this like every other thing that could tend to serve the Province, or render it valuable to Great Britain has been neglected, therefore, My Lord, the first step I took, after having sufficiently gained the confidence of the people, was to establish an agricultural Society, extending over the whole Province, and as your Lordship will see by the enclosed Resolutions, have taken care to impress an early attention to Hemp; the next thing to be attended to is a road through the Province, which appears to me to have been neglected, for the purpose of keeping up a most useless and expensive Marine on the Lake, which burden may be taken off Great Britain as soon as roads are established, and the only certain and expeditious mode of doing this (in my humble apprehension) is by a Lottery, the prizes in which would be small grants of land, by this means I think the value of the Crown Lands would be much increased, the Marine fund would be much diminished and population and prosperity at once given to the Province.

Now, my Lord, one thing more, and when I write on this, it rejoices me to think I address a Lawyer whose initiation I remember twenty years since under Dr. Christian, and whose mind I know to have been formed and stored by the greatest lawyer and the purest statesman that England ever produced; then I have only to inform your Lordship that there is no Court of Chancery, and you will quickly perceive how lame and imperfect the justice of the Province must be, but when I call to your mind that all the land is held in Free and Common Soccage Tenure which no simple contract debt can affect and that the person is protected from arrest by Provincial Statute, except the creditor can swear that the Individual is going to leave the Province, you will at once perceive the necessity for opening a Court in which a Mortgage can be foreclosed; in truth, until this is done, no one can enforce payment, nor can the character of the Province be freed from the utmost ignominy; I must here remark that the Lands in Lower Canada are liable like personal property, to debt, as they are under the French law which is built on the Roman and makes rent and personal property subject to simple contract debts.

Pray my Lord, pardon this long letter, the situation of the Province demanded it, one circumstance more, as it belongs to my Department, and I have done—the Clerk of the Crown and Court of King's Bench is dead, Mr. Warren Baldwin who is deputy, and has been so for some years, is the only educated and qualified person in

the Province to succeed him; therefore as the Clerk is a person of great consequence to the Court I must beg strongly to recommend him for the appointment, unless Your Lordship intends to send an adequate person from England, in which case I would not presume to interfere, yet justice and humanity loudly call in this man's favour, as his admirable character entitles him, and the subsistence of a large family resting on it, will ensure your Lordship's protection.

As for myself, one word; I have been in America four years, a country where Judges and Juries never have agreed, yet but two Juries have ever differed from my direction, and an appeal was never made from any one decision, my conduct is known in your office, and I am personally known to Your Lordship, however, if anything could induce you to sting me to the heart by placing any one over me, I entreat of you to take me from this, where I should feel perpetual mortification.

I have the honour to be, My Lord, with great respect and esteem,

Your Lordship's most obliged and grateful humble servant,

ROBT. THORPE.

No. 9.—PROCEEDINGS OF THE UPPER CANADA AGRICULTURAL AND COMMERCIAL SOCIETY.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 96.)

YORK, UPPER CANADA.

At a Meeting of Gentlemen from different parts of the Province, held at Cooper's Tavern, on Saturday the 22nd February, 1806, it was

Resolved, That from the industry of the People, the power of the State and the Wealth of the Subject is derived; and Agriculture being the happiest mode in which Industry can be applied, we feel it our duty to Unite, for the purpose of promoting its advancement and accelerating its protection.

Resolved, Therefore, that we (for the purposes aforesaid) do now form ourselves into a Society to be termed

The Upper Canada
Agricultural and Commercial
Society.

Resolved, That for the various uses of this Society, each Member shall pay one Dollar on being admitted, and two Dollars annually.

Resolved, That the Honourable Mr. Justice Thorpe be Chairman, John Small, Esquire, Secretary, and Charles B. Wyatt, Esquire, Treasurer.

Resolved, That to promote the design of this Society fully, and to obtain general information on the Agriculture and Commerce of this Province, a division of this Society shall be formed in every District, under similar Rules and Regulations, and that a Committee for each division, shall communicate Quarterly with the Corresponding Committee in York, on the Improvements made, and the assistance wanted in the various branches of Agriculture and Commerce within the District, and that Sub-divisions be formed wherever they may be necessary and convenient.

Resolved, That the Hon. Mr. Justice Thorpe,
The Hon. Peter Russell,
Hon. Mr. Justice Powell,
Hon. Thomas Scott, Attorney General,
D'Arcy Boulton, Esq., Solicitor General, M.H.A.,
Wm. Weekes, Esq., M.H.A.,
Rev. Mr. Stuart,

be the Corresponding Committee of this Society.

Resolved, That each member hereafter named for the different Districts i Province is requested to call together such persons as are eligible to form a di of this Society in his District.

For the Niagara District.

The Hon. Robert Hamilton.

For the Western District.

The Hon. James Baby.

For the London District.

Benajah Mallory, Esq., M.H.A.

For the Midland District.

Allan McLean, Esq., M.H.A.

For the Eastern District.

John Crysler, Esq., M.H.A.

For the District of Newcastle.

David McGregor Rogers, Esq., M.H.A.

For the District of Johnstown.

Peter Howard, Esq., M.H.A.

Resolved, That there be an Annual General Meeting at York, on the s Saturday in the sitting of Parliament.

Resolved, That a Quarterly Meeting be held on the first day of the sitting Quarter Sessions, and oftener, as the Society shall think necessary.

Resolved, That the Committee of Correspondence be empowered to form as Sub-Committees within the District as may be found convenient, according t design and under the Regulations of this Society, and that the Corresponding mittee of York be authorized to dispose of the General Fund of the Society f purposes of the Institution, accounting at the Annual Meeting for the same.

Resolved, That no additional Member be admitted at any future Meeting i District but by Ballot, at which time one black Ball in three shall be consider exclusion of the Person proposed, and that the name of the Gentleman to be bal for, shall be sent to the Secretary of this Society, by the Member who is to pr him, one day at least before the Ballot.

Resolved, That all those who signed the original Subscription Paper o Society, be considered as original Members.

Resolved, That the Members will exert themselves to engage their neigh and acquaintance among the Farmers, to cultivate annually a portion of G (however small) with Hemp, and to report to the Corresponding Committe result, specifying the portion and quality of the ground, the expense of cultu cleaning the Hemp for Market, and the quantity and quality of the Hemp duced &c. &c.

Resolved, That five hundred copies of the proceedings of this day be pr with the names of the original Members, and that each Member be furnished Copy thereof.

Resolved, That the unanimous Thanks of this Society be given to the H able the Chairman, for his laudable zeal in establishing this Society.

Adjourned to the first day of the Sitting of the Quarter Sessions.

JOHN SMALL,

Secretary

ORIGINAL MEMBERS.

The Hon. Mr. Justice Thorpe
Hon. Peter Russell
Hon. Mr. Justice Powell
Hon. Robert Hamilton
Hon. Thos. Scott
Hon. James Baby
William Jarvis, Secretary of the Province.
Thomas Durland, M. H. A.
Allan McLean, M. H. A.
Robert Nellis, M. H. A.
Wm. Weekes, M. H. A.
Solomon Hill, M. H. A.
Peter Howard, M. H. A.
Benajah Mallory, M. H. A.
D'Arcy Boulton, M. H. A.
Ebenezer Washburn, M. H. A.
David Cowen, M. H. A.
D. McG. Rogers, M. H. A.
Ralf Clench, M. H. A.
Joseph Willcocks, H. Sheriff
Quetton St. George,
Samuel Ridout
John Small, C. C.
John Berkee,
John Bennett
Thos. Mosley
John Cameron
Richard Ferguson J.P.
William Willcocks J.P.
Wm. Allan, J.P.
Robert Baldwin J.P.
Wm. Gilkinson
Rev. G. O. Stuart
William Cooper
T. B. Gough
Simon McNabb
Rev. Rob. Addison
George Lane,
Wm. Stanton D. P.
Robert Henderson
Frederick Baron De Hoen
John Ashbridge
H. W. Baldwin Master in Chancery
Wm. Chewett, J. P.
C. B. Wyatt, Surveyor General of P.
Thomas Ridout, C. P.
Elisha Beman, J.P.
William Bond
William Graham, J.P.
Stillwell Willson.

No. 10.—JUDGE THORPE TO EDWARD COOKE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 103.)

5 March 1806.

Dear Sir,—I expected that the avarice and imbecility of our Government would be highly injurious, but it has far surpassed my fears, the House of Assembly has been suddenly prorogued, and disaffection and discontent will be loud through the Province. We too well know the miseries that arise, when the people are taught to interfere but I hope to avert the storm if you send out a sensible Governor with a little discretion about him.

I have written in great hurry to Lord Castlereagh, one thing I forgot; does his Lordship consider the sums of money raised by duties on articles coming into the Province, under the 14 of the King—Chapter 88—and by the 15 of the King—Chapter 40—ought to be appropriated by the House of Assembly for the use of the Province ? or are the sums to be raised at the disposal of the Governor ? the opinion and wishes of Lord Castlereagh on this point I think of great moment to know. I enclose some Resolutions which will show you I have set Agriculture in the way of improvement, pray set the Societies in England in the way of assisting us and directing our attention to anything serviceable to Great Britain. Will Lord Castlereagh help us if we apply properly ? I have given a proposal about Roads which I hope you will approve of; by Government allowing a small quantity of Land as prizes in a Lottery, a sufficient sum will be raised to make one good road through the Province, which will wonderfully assist every exertion and bring the waste Land into great value, I can think of no other mode to accomplish this necessary step for a new country, which has been so long criminally neglected.

A Court of Chancery is absolutely necessary, the Constitution is imperfect without it, Justice cannot be obtained, nor can the King's Grant when fraudulently obtained, or improperly granted be regularly cancelled in any other Court, I hear it has been delayed on account of four hundred a year being asked for the Judge, but there is such a strong necessity for its establishment, that I will undertake it for the sake of public justice, without fee, or reward. I only look for a support by my own labour until my Estate clears itself.

Unless you wish to entail misery on the new Governor, let no representation induce Lord Castlereagh to do any thing for Mr. McGill or Mr. Scott, until the Governor knows them and the present state of this Province.

Mr. Alcock is appointed to Lower Canada, he became Chief Justice of this place from the seat I now fill on the Bench, but I do not press that as an inducement for Lord Castlereagh to place me there; I hope the knowledge I have shown in my profession, the exertion I have made for the Government and the confidence the publick have of my ability and integrity, will have its full weight with his Lordship; but if anything should induce him to disgrace me, by sending any one over me, I only beg you will intercede to have me removed, for to remain would kill me.

I am dear Sir with great respect and esteem,
Your truly obliged and obedient humble servant
ROBERT THORPE.

P.S. On the points mentioned to Lord Castlereagh and yourself, if too much hurried to write, have the goodness to request of Mr. Gordon to let me know your mind ; if you intend I should be Chief Justice.

No. 11.—CHIEF JUSTICE ALLCOCK TO SIR GEORGE SHEE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 113.)

Piccadilly, 14 Mar. 1806.

Sir,—On the subject of the Court of Chancery in Upper Canada, respecting which you desired me to communicate my sentiments, I have, in addition to what is

stated in Gen. Hunter's letter, dated 15th Sept. 1804, the honour to observe, that during the whole of my Residence in the Province for the year 1798, cases were continually occurring, in which Justice was completely disappointed for want of a Court of Equity.

But, Sir, it must be manifest to every Man, who thinks on this subject but for a Moment, that in one English Colony, where the Law of England has been declared by the Legislature to be the law of the land, the occasions must be very numerous, in which a Court of Common Law cannot administer substantial justice.

It is fourteen years since Upper Canada has been erected into a Province, and as yet there has been no Court of Equity in it.

Whilst I sat in the Court of King's Bench there many verdicts were obtained against Defendants, contrary to the Equity of case, & in which a Court of Law could not afford any Relief, particularly in Ejectment causes.

There were many of these cases, in which the Decree of a Court of Equity must, as a matter quite of course, not only have relieved the party from the verdict, but have arranged many other points in question between the parties, & which, because a Court of Law could not interfere, remain to this moment undecided, to the serious Injury of one of the parties & of consequence in failure of justice.

The complaints of the King's subjects in Upper Canada that they had not an equitable Jurisdiction to resort to, have been very numerous indeed, of which the late Gen. Hunter heard very much, & I very much more, & I had held out so many assurances for years (being authorized so to do) that a Court of Equity would soon be established, that, I fear, my assurances at last ceased to be much attended to.

The Merchants of Lower Canada having very considerable debts due them in Upper Canada upon Mortgages, complained loudly and very frequently that there was no jurisdiction in which they could foreclose those Mortgages & I believe they have more than once made the most urgent applications to the King's Ministers in England, praying that an equitable jurisdiction might be established.

At the desire of Gen. Hunter, I drew out a system for the Establishment of such a Court & also a Table of Fees. These papers were remitted to England for the approbation of his Majesty's Ministers, & I thought I understood from Mr. Cooke, that the whole had been or would be approved.

At all events it was settled, before the vacancy in Lower Canada was known of here, that a Court of Chancery should be opened on my Return to Upper Canada & I was to have sat with the Lieut. Governor to aid him in the Business of that Court.

I have the honour to be, Sir,
Your most obedt. humble Servt.

H. ALLCOCK,
late Chief Justice of Upper Canada.

No. 12.—W. HARRISON TO SIR GEORGE SHEE.

(Canadian Archives, Series Q., Vol. 305, p. 119.)

TEMPLE, April 1st 1806.

SIR,—I have considered Mr. Allcock's letter on the subject of establishing a Court of Chancery in Upper Canada, on which you desired to have my sentiments.

It seems extraordinary that a Court was not established at the time of the introduction of the English Laws. The separation of our jurisdictions into legal and equitable makes such a Court a most essential part of our establishment & making cases of hardship & instances of failure of justice must occur until it is established.

The Governor will naturally require positive directions on the subject as it has been delayed so long. It seems to me therefore proper that he should be ordered by the Secretary of State immediately to establish such a Court, taking upon himself the office of Chancellor & calling to his assistance either the Chief Justice or

any of the Judges to assist him in establishing the regulations of officers & detail of practice & also to assist him in the hearing of any causes in which he may wish to have their advice.

Many difficulties will at first occur in establishing such a court with Officers & a Bar not as the habit of a Court of Equity, but these difficulties will lessen every day and it appears to me more adviseable that the establishment of Upper Canada should be made in this respect to conform to that of the English Colonies, than to introduce any particular officer as an equity judge at an encreased expence & with no future advantage & probable future inconvenience which it is not necessary for me to advert to.

Mr. Alcock's letter alludes to papers on the subject which it would be adviseable to refer to and if on review it appears that the establishment of the Court as to Officers & fees has been approved of by the Attorney & Solicitor General, who ought as it seems to me to be referred to in such a case, the Governor may be directed to form the establishment accordingly.

I have the honour to be, with great respect,
Your obedt. and humble Servant,
W. HARRISON.

No. 13.—JUDGE THORPE TO ADAM GORDON.

(Canadian Archives, Series Q., Vol. 305, p. 124.)

YORK, UPPER CANADA,
April 2nd, 1806.

DEAR SIR,—By a circular letter from the kind of Government we have here, I was informed of your being appointed Agent, which gave me great pleasure; I know the exertions you have made to render the officers of Government comfortable in the payment of their bills, therefore am convinced of the service you will render, & the satisfaction your appointment will create; It would be fortunate if all the agencies were placed in the same way as rapidly as they become vacant, it would increase the respectability of our bills and the certainty of payment would prevent expence & distress.

We want a Colony agent to transact the business of the Province in London, & I think (if it is worth your acceptance) that I could get the Legislature to appoint you the salary will be one hundred a year only but I think very little business.

I enclose you an account of the proceedings in the last Parliament, the mind of the people is greatly roused; General Hunter's was a military Government, he had no Idea but collecting Dollars, these weak people attempt to continue the system, which brought on an exposure and all its commotion; I had exerted myself much, & have succeeded in gaining the confidence of the people beyond my expectation, this was quite necessary to save the new Governor from great annoyance, and as I expect to be Chief Justice, it was both my duty and inclination.

We have no regular Post, and seldom hear of the incessant glories of Great Britain, Mr. Lewis used to send me a newspaper, but I never get anything here.

I am Dear Sir with great respect & regard
Your obliged, humble servant
ROBT. THORPE.

No. 11.—JUDGE THORPE TO EDWARD COOKE.

(Canadian Archives, Series Q. Vol. 305, p. 127).

YORK, UPPER CANADA, 1st April, 1806.

DEAR SIR,—When I last wrote, I conceived I would not have been obliged to trouble you for a long time, but the present temper of the American States renders

more particularly necessary that you should have an accurate account of this rovince. Before the Legislature met I mentioned my fears; after the prorogation informed you how much they were realized; the public mind is greatly agitated. he enclosed account of the Parliamentary proceedings (printed in the States) which xposes a good deal will make it worse, and a Newspaper which the people are about o establish will soon blow up the flame; yet be assured the people are well inclined o the British Government and the Province valuable, if Justice was done to the one, nd exertions made for the other; but the extortion, partiality and negligence of Gov. Hunter, which his weak and wicked tools have followed up with the President, whom they made (without any right) for their own purposes, has been exposed and has set the people mad; a Governor to enrich himself by the plunder of Eastern princes may be viciously grand, but the rapacity that would squeeze the pitiful Dollars out of the Western poor was miserably mean and contemptibly wicked; but Gen. Hunter did not act with common propriety to the Secretary of State, for he created places for his own purposes without any leave; he made Mr. McGill Inspector General a place worth four hundred a year, because it was useful to him but unnecessary and oppressive to the people. I hope nothing will be done for the Officers of Government here, until the Governor comes out, as it will be very injurious if he is shackled with any of them, particularly in the Council, only let him see the place, know the people and feel the pulse of the public, and he will be able to make truer and more beneficial representations, than any you can now receive; a few sensible men coming in the Governor's suite will throw a new portion of health into the Province, which is absolutely necessary, for the people will no longer endure a Military system nor the overbearing reptiles who have been the servile instruments to enforce it.

The expence of the useless Marine on the Lake is enormous, if you look into the Army extraordinaries you will be amazed at the amount, the President is now building a Ship for his son in law that will cost three thousand pounds. Surely the money of England should not be lavished at this time in such a place as this, as a pretext for keeping up this patronage the roads have been unattended to, but even now one ship on each Lake is sufficient.

I fear the people are going to meet in all the counties to address the King, and even the Indians to complain of grievances; however I will labour to keep every thing quiet, at least until the Governor arrives. I have done the entire of the Criminal and *Nisi prius* business for the Chief Justice since I have arrived (in truth it was necessary for the Crown and people that some one should act that knew a little, for the Attorney General is as incapable in his profession, as he is injurious out of it) and I hope you will think that I have made good use of the opportunities the situation affords; I was told that the people were disaffected to the Government, and the juries for ever in opposition to the Bench; I directed my charge strongly to this feeling, to rouse them to a sense of their duty and to a proper estimation of the connection and constitution of Gt. Britain, which instantly produced the enclosed address from the petit jury, a circumstance unique; now you can well judge what I have had to do and what I have done. Having accomplished all that was necessary I shall retire to little Farm new Town, and there wait Lord Castlereagh's determination, should his Lordship recommend any other person to be Chief Justice, I shall remain in retirement, only attending my duty in the King's Bench, or on Circuit, until I can prevail on his Lordship to change my situation. I hope you approve of my plan for Roads, and feel the necessity for a Court of Chancery.

Tho' most anxious to hear from England I must remain in uncertainty for we have no regular post and I fear my letters are suppressed.

I have the honour to be Dr. Sir,
with great respect and regard
Your truly obliged
ROBT. THORPE.

No. 15.—PETIT JURY HOME DISTRICT TO JUDGE THORPE.

(Canadian Archives, Series Q., Vol. 305, p. 132.)

York, Saturday, April 5, 1806.

On Monday the 27th ulto. the following address from the Petit Jury of the Home District, was presented to the Honourable Mr. Justice Thorpe.

To the Honourable Mr. Justice Thorpe.

Honoured Sir,—Deeply impressed with the paternal and salutary admonitions contained in your benevolent and instructive charge to that part of his Majesty's subjects, convened as persons at this present Court, We cannot suppress the testimony, pleasure and gratitude we feel at your appointment as one of his Majesty's Justices in this Province. Convinced as we are, of the high pre-eminence of the British Judicial Code, we beg leave to assure your Honour, that we want nothing but clear expositions of our duty, to direct us in the entire and perfect dispensation of Justice, so far as facts and our powers as persons may enable us.

Permit us, Honourable Sir, whilst paying this tribute to yourself to say, that we have the most lively sense of the general and particular protection of person, property and individual right, which the British Government affords to all its subjects; and that our feelings, loyalty and our attachments are in unison.

While we have the honour to subscribe ourselves, &c. &c. &c.

John Button
Joshua Millar
Isaac Secord Sen.
Daniel Dehart
Joseph Tomlinson
Samuel Lawrence
John Daniel
Garret Vangante
John Dehart
Joseph Vancise
William Jones
Samuel Reynolds
Benjamin Harrington
Samuel Piper
John Wurts
Philip Peck
Peter Degear
Abraham Herrington
John Moore
Isaac Secord Jun.
James Hamilton.
William Marr
John Remore
George Pingle
George Boyles
Henry Bartholomy
Robert Grains
Wm. Robinson
Ebenezer Cook
Andrew Thompson
Matthew Mills
Ezekiel Post
Archibald Thompson
Andrew Johnston
David Thompson
James Elliott
James Palmer
Uriah Lundy
Joseph Tumblestone
Peter Miller
James Mustard

To which his Honour was pleased to return the following answer:

To the Gentlemen of the Petit Jury.

Gentlemen,—I Delight in the sentiments of your address; they are truly gratifying to me, they are highly honourable to you; they have driven calumny to shame, and established the purest principles, with the most upright conduct for universal imitation throughout the Province.

These are the paths to publick prosperity, these are the ways to preserve liberty and property and secure them undiminished to yourselves and posterity.

Our only contention shall be, who will make the greatest exertion to maintain the connection, the Law, and the constitution of Great Britain, and render to the Province and People the most valuable service.

Be assured Gentlemen, I am most truly your friend,

ROBERT THORPE.

York, March 29th, 1806.

No. 16.—JUDGE THORPE TO EDWARD COOKE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 135.)

DEAR SIR,—I have this momemt heard of Mr. Pitt's death, and of the change in nistry; I suspect you will not remain in Office if your old friends are out, there- e should hope (if you approve of it) that the business part of my letters to Ld. stlereagh & yourself, would be communicated to the new Secretary, as I conceive essential, not only to the prosperity but to the tranquillity of the Province, that its tuation should be known and some change adopted. It is a great public calamity u do not remain in the Department, and an unfortunate system to change the der Secretary just at the time he becomes master of the Colonial business.

Before Ld. Castlereagh leaves his office I presume he will fill up the vacant ppointments, and I have no doubt of his kindness and your continued friendship to me.

With great respect and esteem

I am most truly your obliged servt.

April 7. ROBT. THORPE.

No. 17.—JUDGE THORPE TO ADAM GORDON.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 150.)

(*Extract.*)

YORK, UPPER CANADA
July 14th 1806.

* * * * * * * *

Report says Mr. Scott, the Attorney General, is the Chief Justice; from what misrepresentation of him or from what pique against me Ld. Castlereagh has done this I know not, but this you will soon know, that he is perfectly unequal to the situation, that the Governor will be dreadfully perplexed by such an appointment, that the Province will be universally dissatisfied with him, and I think you will soon find out that the Province would have been perfectly satisfied had I been appointed, and if you knew but half the situation of it, you would be convinced that it was no time to add fuel to the flame, and throw the new Governor into a state of wretched- ness; but we expect the new Governor every day and I suppose he will soon inform the Secretary of every thing, however if from the accounts received Mr. Windham approves of my plans sent to Ld. Castlereagh and Mr. Cooke, or has anything new to propose, and thinks my assistance will be wanted, he should appoint me without delay to both Councils, that it may be in time for the meeting of the Legislature, he will be the best judge of these matters; If there is a Court of Chancery (and the Province cannot go on much longer without it), I suppose I shall have no competitor for that as I suppose none of these people would have the folly to propose for it; however I know something ought to be done soon to quiet the minds of the people, as for myself, I shall retire as much as possible until I can render the Government some service, for let what will be done now, I feel that within myself which *will* obtain justice to come to me at last, for be assured the Government here cannot be directed by an enfeebled old ignorant Methodist Preacher long, I lament you are not informed about the present temper and precarious situation of this Province.

I hear my friend Sir G. Shee is under Secretary to Mr. Windham, he knows how active and willing I am to serve the Government, he will soon know more from my enemies (for such I have because I set my face against oppression), how adequate I am to my situation the Secretary could give, and that I have the voice of the people from one end to the other of the Province—Sir George Shee knows how the Judges recommended me before and on my opposition for the Chancery Court, the Chancellor and Chief Baron of Ireland would answer for my being qualified.

I certainly feel hurt at this contemptible creature being put over my head, and only hope for redress I shall not be obliged to go to London from my helpless family to represent it fairly.

I am Dr. Sir with great regard

Your most obliged

ROBT. THORPE.

No. 18.—JUDGE THORPE TO SIR GEORGE SHEE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 173.)

NIAGARA UPPER CANADA
Oct. 22nd 1806.

DEAR SIR GEORGE,—When our friend who is now a Saint in Heaven (if humanity is ever raised to such celestial eminence) first introduced me to your attention, you caused me to be sent to America, and your last directions were, that I should be assiduous in gaining and sending information to the Secretary; I laboured incessantly and I believe discharged my duty to the Colony, and with the approbation of the Secretary. When I came to this country I found that Gen. Hunter had ruled like a military despot, not like a Governor appointed to govern a Province with a British Constitution, the House of Assembly began to be roused, and the ferment of the people became more violent; I felt for the situation of the new Governor and supposing I would be appointed Chief Justice, & be obliged to assist his Administration, I cultivated the members of the Assembly and soothed the mind of the people; but a being has been put over my head, & made Chief Justice, who has neither talent, learning, nerve, nor manner, and also from being despicable in the mind of the people, can have no weight with Juries and consequently will reduce the Bench to insignificance; a Court of Chancery is very much wanted, & was to be opened; it is reported the Chief Justice is to preside, the consequence will be, that the public mind will be again agitated and the House of Assembly will violently petition against it, the measures of Government will be treated as last year, when even the bills from the Secretary's office were not supposed to be read in the House of Assembly, and this luxuriant Province (which might be one of the most valuable ramifications of the Empire) will continue convulsed within itself, and a useless expence to Gt. Britain; no one can be more miserably situated, I am only returning from circuit, a vacancy has taken place in the Assembly and the people are determined to bring me into the House, I have not seen the Governor yet, but have written to inform him that I will not accept of any situation unless I can render him some service in administering his Government, yet how will that be possible for I could not coincide with men whose measures have always been arbitrary and oppressive, nor would I be guilty of any dereliction of principle for all that could be bestowed, therefore the only mode I see for escaping this dilemma is from your goodness, by getting me removed, my salary here after deduction is only seven hundred and fifty, of that is expended on Circuit (the allowance not being adequate) even out of this pittance I have been obliged to pay one hundred a year for a house I have not one acre of Land & within fifteen in family however I get on as respectably as I ought, when a Barrister will make fifteen hundred a year; perhaps a court may be established at the Cape of Good Hope, and you would send me there but I would leave this delightful climate & magnificently beautiful & fertile country for any spot to find repose in, provided it was not such a climate as would quickly endanger my loss to my poor children. I can with truth say I have not disgraced your patronage, nor the memory of those great men who voluntarily became responsible for my talents and legal acquirements, and could you see the testimonies of approbation that have issued from all ranks wherever I went you would be satisfied and acknowledge I have not deserved the neglect I have experienced, but I have been stung to the heart by those in office, from whom I had the strongest professions of regard.

I have the honour to be most truly
Your grateful & highly obliged humble serv.
ROBT. THORPE.

No. 19.—LIEUT. GOVERNOR GORE TO MR. WINDHAM.

(Canadian Archives, Series Q., Vol. 305, p. 61.)

(No. 9.)

YORK, UPPER CANADA
29th October, 1806.

SIR,—In my dispatch of the first of October (No. 6) I endeavoured to give you some idea of the situation in which I found this Province; I therein signified that some discontents did prevail, and that I was apprehensive they were fomented by persons amongst us, who wish'd to perplex His Majesty's Government. I then being almost an entire stranger, did not venture to say more, well aware of the danger of being misled by partial representations.

It becomes us now not to be silent. The addresses and answers that have been circulated in this Province by means of the public nawspapers (which I herewith transmit) speak for themselves and shew what opinions are encouraged and supported by, I am sorry to say, a Judge of this Province, and at a time when his influence must be the greatest on the public mind. He has not been in this Colony much more than Twelve months, he only saw Lt. Governor Hunter at Quebec a short time before his death, whose character and memory he has endeavoured, both in Public and in private, to degrade, and can only know by report many of the circumstances he thinks proper to allude to, respecting the Government of this Province.

It is on his first Circuit that he thus addresses the Public.

There is reason to believe he will be elected a member of the House of Assembly; and next year his circuit as Judge will comprehend the remaining part of the Colony.

What grievances he alludes to, I do not know, the most respectable persons, with whom I have conversed, do not complain of any.

It is but justice to General Hunter's character, whom I had not the honour of knowing, to say, that so far as I am able to judge, his conduct was firm and decided, and appears to have been directed to the promoting of the good of this country.

It is with the utmost reluctance that I trouble you with this unpleasant subject, my duty calls on me to be watchful, my wish is to redress grievances, if any should exist; and to act with firmness, yet with moderation, whatever may occur. Lest, however, this Gentleman should continue to follow that line of conduct he has hitherto pursued, I should esteem it a favour, to be honoured at an early period with your sentiments and Instructions, respecting such measures as may be deemed most prudent for me in such cases to follow.

The most respectable People in this Province are looking up to me for protection, and indeed have called upon me for the sake of public tranquillity to oppose and discountenance those principles and their supporters, which at this moment agitate the lower classes of the community; I confess I am anxious on the present occasion, but I trust you will do me the justice to believe, that it is an anxiety to do my duty and to support His Majesty's Interest in this Colony.

Permit me to add, that Mr. Thorpe has signified to me, that he has communicated to Mr. Cooke every circumstance relative to the Government of this Province; for my own part, I have nothing to conceal, but at the same time prudence and a regard to my honour, requires me to wish that His Majesty's Ministers may receive full information, and not be guided by a partial representation.

I have the honour to be, with great respect,
Your most obedient servant,

FRANCIS GORE,
Lt. Governor.

No. 20.—ADDRESS TO LIEUT. GOVERNOR GORE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 197.)

YORK, 30th August 1806.

On Saturday the 23rd instant arrived here His Excellency Francis Gore, Esquire, Lieutenant Governor of His Majesty's Province of Upper Canada. His Excellency landed at twelve o'clock, with the honours due to his rank; and was sworn into office at the Government buildings on Monday last.

On Wednesday the 27th instant, Wm. Weekes Esq. Member of Parliament, for the County of York, Durham and Simcoe, on the part of the Inhabitants of the Home District, presented to His Excellency the following address:

To His Excellency FRANCIS GORE Esquire, Lieutenant Governor of the Province of Upper Canada &c. &c. &c.

MAY IT PLEASE YOUR EXCELLENCY,—

We, His Majesty's most dutiful and loyal subjects, the Inhabitants of the Home District, beg leave to congratulate your Excellency on your safe arrival in this Province; and to express to you the unfeigned assurance of our unshaken loyalty and attachment to His Majesty's person and Government. We also beg leave to add, that we feel the most lively gratification in observing in your Excellency's appointment, the high prerogative of Regal authority unconnected with a Military establishment: and we indulge ourselves in the hope of experiencing, in your Administration of this Government, the paternal solicitude of a Gracious Sovereign for the prosperity of the Province, in unison with the affection of a grateful people.

In approaching your Excellency with a zealous attachment to a constitution which neither innovation can impair, nor anarchy deform, we lament our being under the necessity of stating to you, that since the establishment of it in this Country, its system has been mistaken and its energy misused. In situations in which it were matter of dignity, as well as of duty, to promote the public good, private interest only has been regarded; and prerogative and privilege have been indiscriminately sacrificed at the shrine of arbitrary imposition.

We would willingly remove from our memory every impression of former occurrences, if it were as easy to forget our sufferings as to submit to them in silence; but we forbear at this period to solicit your Excellency's attention to their detail, pleased as we are in the expectation that a remembrance of the past will stand only as a contrast to the felicity of future times; and that under your Excellency's administration, neither weak capacities nor erring minds will gain influence or ascendancy in the Councils of the Province.

It is unnecessary for us to state, nor is your Excellency now to learn, that the institution of the Government, from which we receive our hereditary protection, has antiquity for its origin and the wisdom of ages for its support—That it has gained celebrity with time and perfection with experience, and that any deviation from its principles must be an abandonment to our ruin; but we trust it may not be deemed irrelevant to suggest, that many among us have supported it at the hazard of their lives, and at the expense of their property—that others have resorted to it from choice and have afforded to its establishment the labour of their years and the gleanings of their industry, and that it is the common concern of all to transmit it unimpaired from age to age, until, in the computation of its enjoyment, perpetuity and age become synominous to our posterity.

(Signed by 301 inhabitants of the Home District.)

To which His Excellency was pleased to return the following answer:

GENTLEMEN,—I thank you for your congratulations on my safe arrival in this Province; and I receive with pleasure your professions of attachment to His Majesty's Person and Government.

I highly approve the sentiments you profess of the British Constitution. My utmost endeavours will be exerted to administer it here with Impartiality, and to preserve it from Anarchy and Innovation.

FRANCIS GORE,
Lieut. Gov.

GOVERNMENT HOUSE
YORK 27th August 1806.

No. 21.—GRAND JURY, LONDON DISTRICT TO JUDGE THORPE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 201.)

The following address from the Grand Jury of the District of London was presented to the Honourable Mr. Justice Thorpe at the late Assizes.

To the Honourable Mr. Justice Thorpe.

We, the Grand Jury of the District of London request your acceptance of our warmest thanks for your excellent charge to us at this Assizes. We retain its impressions as a lesson of advantage to ourselves and of benefit to the public, and we flatter ourselves that in adhering to its import, party animosity will, throughout this district, yield to a general desire of social order and public tranquillity. It has afforded us infinite pleasure to observe, in the exercise of your high and important authority, that the character of the Judge suffers no abasement from an amenity of manners, and that the soothing monition of the Court produces a more sudden effect in reconciling the differences of the community, than a rigorous application of the law, or crude and ill digested efforts, to effect an exemplary punishment. We learn with much gratification that our Sovereign has been pleased to appoint a Civil Governor to this Province, and we hope, under his administration, such change of measures will take place, as may tend to bury in oblivion, the remembrance of proceedings, heretofore sanctioned by authority, and yet no less derogatory to the prerogative of the Crown than invasive of the privileges of the subject. We entreat you to lay before his Excellency such of those acts as have come within your knowledge, with our earnest expectations that on his Excellency's consideration of them, Justice will extend its influence pure and unmixed even to this remote part of his Majesty's dominion, and that all descriptions of his People will impartially enjoy the rigour and perfection of a happy Constitution. We beg you will also accept of our warmest wishes for your health and safe return to your family.

We have the honour to be,
Your Honour's most obedient and very humble servants
In behalf of the Grand Jury,
JONATHAN WILLIAMS
Foreman.

Grand Jury Room, 17th September 1806.

To which His Honour was pleased to return the following answer:

To the Grand Jury of the London District.

GENTLEMEN,—To be the humble instrument of restoring harmony and happiness to your District, is an excess of gratification.

The act of governing is a difficult science, knowledge is not intuitive, and the days of inspiration have passed away; therefore, when there was neither talent, education, information, or even manner in the administration, little could be expected and nothing was produced; but there is an ultimate point of depression as well as exaltation from whence all human affairs naturally advance or recede, therefore, proportionate to your depression, we may expect your progress in prosperity will advance with accelerated velocity.

I shall lay before the Governor every thing you desire, and I have not the slightest doubt but that I shall find in him such power of mind, such political

acquirements, such official habits, and such good dispositions as are fitted to make an infant Province a pre-eminent state, wealthy and powerful, abounding in blessings to its inhabitants, and valuable to that great Empire from which we receive every thing estimable and to which we are anxious to make the most grateful returns.

I am, Gentlemen, very truly, your obliged, obedient and very humble servant

ROBERT THORPE.

No. 22.—GRAND JURY, WESTERN DISTRICT TO JUDGE THORPE.

(Canadian Archives, Series Q., Vol. 305, p. 204.)

SANDWICH, 4th September, 1806.

SIR,—We, the Grand Jury of the Western District, being deeply impressed with a high sense of your solicitude for the welfare and prosperity of this District, have to return you our grateful thanks for your polite address from the Bench, and for the very handsome manner in which you have pointed out the means of increasing our wealth and accelerating our future happiness; and we feel highly sensible, that those sentiments, which you have so emphatically expressed, will not fail to have a due effect on the community, and that tranquillity and industry will prove the prominent characteristic of a people enjoying the blessings of our happy constitution and anxious to perpetuate it to posterity.

We beg leave to add that we also feel ourselves highly obliged for the interest you have evinced for our agricultural concerns; and that it is our earnest determination to pursue every measure which may promote its celerity, and arouse into active industry the energy of the country.

We request you will carry with you into retirement our most sincere regards for your domestic happiness, and the assurance of our solicitude for your long enjoyment of the public situation in which you so eminently distinguish yourself as the Guardian of the Laws, and the Minister of Justice.

We have the honour to be, Sir, with high respect and esteem,

Your most obedient servants

(Signed by the Foreman and 19 others.)

To the Grand Jury of the Western District.

SANDWICH, September 4th 1806.

GENTLEMEN,—In truth I am solicitous for your prosperity, and had I wanted incentive to exertion, your partiality has furnished the most powerful; the praise of men, themselves the most praiseworthy, is the highest encouragement.

We must be indefatigable in Agricultural pursuits, your soil to industry is a mine, to non-exertion a waste; we shall soon attain abundance for home and superfluity for abroad; roads to facilitate your efforts will, I trust, be quickly opened: may our Governor be Promethean heat and animate the Province from the centre to the extremity.

I will labour to convince you, Gentlemen, that your confidence has not been misplaced in your obliged, obedient and very humble servant

ROBERT THORPE.

No. 23.—PETIT JURY, WESTERN DISTRICT, TO JUDGE THORPE.

(Canadian Archives, Series Q., Vol. 305, p. 206.)

To the Honble. Mr. Justice Thorpe.

We the Petit Jury of the Western District, having with much gratification attended to your charge to the Grand Jury on the opening of your Commission of these Assizes; and having in the various causes in which we were called upon to

discharge the function of Jurors, received from you such explanation of our duty, as enabled us to discriminate between controversy and claim, between accusation and offence; beg leave to return you our sincere thanks, and to assure you of our veneration for these Laws which you have so ably expounded, and which we have laboured to carry into effect.

We assure you that the lessons of morality, and the principles of social order, which you were pleased to convey to us shall be not only remembered by ourselves, but also diffused among our relations and friends, and that it shall be our constant endeavour to circulate through every part of the community, sentiments so incentive to our present happiness, and so conducive to our prosperity.

(Signed by the Foreman and 25 others.)

To the Petit Jury of the Western District.

GENTLEMEN,—Every sentiment in your kind address is gratifying to me, honourable to you, and valuable to the community.

You respect and uphold the Law, you love and diffuse morality, you set the best example for social order, and reward the exertion of others by the warmest panegyric.

Public purity, private virtue, and active industry, lead to greatness, happiness and riches, that you may long enjoy the blessings you so truly deserve is the fervent desire of your obliged, obedient and very humble servant

ROBERT THORPE.

September 6th, 1806.

No. 24.—PETIT JURY OF NIAGARA TO JUDGE THORPE.

(*Canadian Archives, Series Q., Vol.* 305, *p.* 208.)

To the Honble. Justice Thorpe.

We the Petit Jury of the District of Niagara, beg leave to make to you at the close of the Assizes, our warmest acknowledgments for your explanation to us of the important matter of our duty, and also to assure you, that instruction conveyed with such perspicuity and delivered with such urbanity, shall always be held by us in grateful remembrance.

We admire the constitution, on which you have so happily descanted in proportion as we contemplate its system and its tendency to secure to us the enjoyment of the most valuable rights and the exercise of the most distinguished privileges.

It is to us no small consolation, in returning to our domestic concerns, that the execution of these laws, which we from duty as well as choice are solicitous to maintain, are entrusted to one so capable of deliberating on their import, and so tenacious of preserving them inviolable; and we hope that neither the efforts of the misguided, nor the representations of the ignorant, will ever shake these rules of evidence, which give to the trial by Jury a certainty of decision and a standard of Justice.

(Signed by the Foreman and 33 others.)

To the Petit Jury of the Niagara District.

GENTLEMEN,—I was anxious to assist you in the faithful discharge of your important duty, and your approbation of my exertion is more than reward.

Your admiration of the constitution, of which you are so valuable a branch, and your veneration of these Laws, which you so strictly uphold, is wisdom and security.

While we commiserate the misery of the Eastern & contemplate the happiness of the Western Hemisphere, let us be grateful to the Almighty for our accumulated blessings, and fervently pray that England may be an example, and France a warning to our latest posterity.

Be assured, Gentlemen, I shall persevere in that line of conduct, which h conciliated your regard, and advanced me in your esteem.

I am your obliged obedient humble servant

ROBERT THORPE.

October 6th 1806.

No. 25.—REQUISITION TO JUDGE THORPE.

(Canadian Archives, Series Q., Vol. 305, p. 210.)

At a meeting of Freeholders held at Moore's Hotel on the 20th October, 180 for the purpose of considering of a proper person to represent them in Parliamen William Willcocks, Esquire, in the Chair, it was resolved unanimously, that M Justice Thorpe be requested to represent the Counties of York, Durham an Simcoe, in the place of our late lamented William Weekes, Esquire, deceased, whe it was also resolved, That the meeting should be adjourned to the 7th and the noti appear in the next *Gazette*.

WILLIAM WILLCOCKS
Chairman.

At a meeting, pursuant to the said adjournment (the Chairman bei unavoidably absent) the following address was unanimously agreed upon:—

To the Hon. Mr. Justice Thorpe.

SIR,—Overwhelmed with grief at the unexpected death of our late able an upright Representative, Freeholders of the Counties of York, Durham and Simcoe, feel that we have neglected our interests in the season of sorrow. Now awake i it is to you we turn; notwithstanding the great portion of consolation which we draw from the dawning of an impartial and energetic administration.

Fully persuaded that the great object of your heart, is the advancement o public prosperity, the observance of the laws, and the practice of religion an morality, we hasten with assurances of our warmest support, to invite you from you retreat to represent us in Parliament.

Permit us, however, to impress upon you, that as subjects of a gracious an beloved King; as a part of that Great Britain which has for so long a time stood th bulwark of Europe, and is now the solitary and inaccessible asylum of liberty; a the children of Englishmen, guided, protected and restrained by English Laws; i fine, as members of this community, as fathers and sons we are induced to plac this confidence in your virtue, from the firm hope, that equally insensible to th impulse of popular feeling and the influence of power, you will pursue what i right—this has been the body of your decisions, may it be the spirit of your counsels

(Signed by forty-two persons residing in the Town and Township of York.)

When William Jarvis, Esquire, was requested to wait on Mr. Justice Thorpe (wh at that instant had arrived from Niagara) to know his pleasure upon the subject o the above address; Mr. Jarvis returned with a favourable answer, which Mr. Jus tice Thorpe has since communicated in the following terms:—

GENTLEMEN,—With pleasure I accede to your desire, if you make me you Representative, I will faithfully discharge my duty; your confidence is not mi placed, may the first moment of dereliction be the last of my existence.

Your late worthy Representative I lament from my heart; in private he was warm Friend, at the Bar an able Advocate, and in Parliament a firm Patriot; it but just to draw consolation from our Governor, when the first act of his admi istration, granted to those on the U. E. list and their children what your late mo valuable Member so strenuously laboured to obtain; surely from this, we have eve reason to expect that the liberal intentions of our beloved Sovereign (whose chi

glory is to reign triumphantly enthroned on the heart of a free people) will be fulfilled, honouring those who give, and those who receive, enriching the Province and strengthening the Empire.

Let us cherish this hope in the blossom, may it not be blasted in the ripening.

I am, Gentlemen, very truly

Your obliged and obedient humble servant

ROBERT THORPE.

York Nov. 7.

P.S. If influence, threat, coercion or oppression should be attempted to be exercised over any individual, for the purpose of controlling the freedom of election, let me be informed.

R. T.

No. 26.—JUDGE THORPE TO SIR GEORGE SHEE.

(Canadian Archives, Series Q., Vol. 305, p. 189.)

York, Upper Canada
December 1, 1806.

Dear Sir George,—I feel at this moment more true comfort in having followed the kind advice you gave me when I was first coming to America, than in all you ever have or can do for me, for in the turmoil and trouble with which I am now surrounded, I have this grand consolation, that whatever I have done, or whatever was done by the Government in the Colony where I was, or whatever I thought might be injurious, or could be beneficial, I have faithfully transmitted to the Colonial Department, in the full integrity of my heart. After the prorogation of the House of Assembly, I informed Mr. Cooke of the temper of the House, and of the ferment of the public mind, I promised to conciliate the one and harmonize the other; I think I have kept my word with him, the enclosed addresses will prove part, & will shew I had taken pains to prepare the people wherever I went to be favourably inclined to the new Lt. Governor, but unfortunately I did not arrive from the assizes, until the end of October. When in our first conversation, I found him imperious, self sufficient & ignorant, impressed with a high notion of the old system, surrounded with the same scotch Pedlars, that had insinuated themselves into favour with General Hunter, & that have so long irritated & oppressed the people; there is a chain of them linked from Halifax to Quebec, Montreal, Kingston, York, Niagara & so on to Detroit—this Shopkeeper Aristocracy has stunted the prosperity of the Province & goaded the people until they have turned from the greatest loyalty to the utmost disaffection. The system pursued is simply this, "get as many dollars as you can for the Governor by land &c. &c" therefore the Loyalists & military claimants who are to pay no fees, are unattended to—thus, the Royal intentions & promises have been violated; next to theirselves, their families & friends, they give unbounded tracts of land in the finest situations, at whatever rate of fees they chuse, & then barter this land to our greatest enemies in the States; next, they keep from the House of Assembly all account of the greatest part of the public money, thus denying them the first privilege given by the British act of Parliament, which established their Constitution; next, the Officers of Government they oppress, & by their coercion of the people, I think it my duty openly to declare to the Secretary of State that this Province has not only been rendered useless, but made burdensome to Gt. Britain, & is now driven to the verge of being severed from the Empire, for if there was a convulsion in the states, or a war with England I am convinced the people here would join. Now the present Lt. Governor seems to pursue the same plan, & the only thing wanted he has added, by desiring the printer not to publish anything without his Secretary's approbation, & the consequence is, another press has been sent for by the people, which will only be a vehicle for disseminating discontent; in the infant state of this Colony, when only

indigent Military men were the inhabitants, all this was easily submitted to, but to be assured when a labouring man has land in six years he is independent, & in ten he has every comfort.

My sytem is this,—let the Governor & Executive Council (for there the chief mischief has been done) conciliate & accommodate the people, and fulfil the intentions of the Government of England to the Royalists & Military Claimants—let the fees be regulated under Mr. Wintham's direction by an Act of the Province, let the British Constitution, as intended, be amply dispensed to the people, let the public money be accounted for, and an exertion made to keep the appropriation of the greatest part with the Governor, this will free him from the perpetual imputation of embezzlement & allay ferment,—let the Indian & Marine Department be struck off, & some useless places which have been arrogantly established, & twenty thousand a year may be saved to Gt. Britain, & more satisfaction will be given to the Indians, & prosperity to the Province, because roads will be opened; let fifty thousand poor sufferers in Germany be sent there, & the cultivation of hemp encouraged sufficiently, & in less than ten years you will have more hemp than England can want, & better than Russia ever produced. I do solemnly declare from full investigation, that it is one of the finest & most extensive Provinces in the world, so intersected with water, that it is easy to have communication for thousands of miles, so capable of improvement, that in five years, we could free England from every expence, would take largely of her manufactures, & send her fur, lumber, flour and hemp in abundance—the people who are most loyally inclined (though it has been nearly squeezed out of them) will be most tractable, if you only lead them (they will no longer be driven) the Province under a sensible Governor (not an empty aid-de-camp) with English Constitution & Law will be wealthy & happy, the envy of America, the asylum to which in the first tumult thousands will fly with their property & in the first convulsion between the Northern & Southern States, it will be the post to rally round the Royal Standard, & be the means of reuniting a great portion of America again to Gt. Britain.

From this letter & the enclosures you will have my mind fully, you will have a true state of the Province, Government & People—you will perceive how I am received & considered as a Judge & a private Gentleman, the people will force me into the House of Assembly, this popularity is oppressive, when I can render no service to England by it, I have no object there, then for God's sake take me away, I beg it, from a remembrance of our friend who is in Heaven, for the happiness of my wife, sister, and seven children who are wasting their youth in a wilderness, & for the sake of my own tranquillity & peace of mind if my exertions deserve reward—pardon me for trespassing this long on your time, but as you have anxious wishes for the happiness and tranquillity of the Province, for preventing the waste of British revenue, & in justice to myself, I am sure you will let Mr. Windham (who has a mind fitted for political greatness) know the contents & from the constant communication I have made to the Colonial Department since 1802, he must be satisfied with my good intentions, & acknowledge my indefatigable exertions, though he may not approve of my plans or sanction my system.

I lament that poor Mr. Stanley is coming out as Attorney General, it is beneath him, & inadequate to his support, besides highly improper to go from the Bar to the Bench here (for there he ought to be) as the Council is always Attorney also, not as in England or Ireland, therefore you send a man to judge of persons & property where he has been for or against, as the Acting Attorney. Mr. Justice Powell is gone home, it is said to apply for a pension, he is not a good lawyer, & I have great reason to believe he is not a good subject, he has served long, & has a large family, & I believe wishes to reside in the States. I should hope he would be considered worthy of a pension & Mr. Stanley could come in his place, & would be of great value to Province, for we have not a lawyer here, the Solicitor General was not even a common attorney and knows nothing either text or margin, or if you remove me for Mr. Stanley, and send an active sensible (man) as Attorney General, it would greatly assist the Governor & for a few years the system might go on—but I fear I could do little with Mr. Gore, he appears weak, violent, prejudiced, entirely unaccustomed to

governing, except a Troop of Horse, & the people have now so hung themselves round me, that I fear I would be in his way, yet any other man as Governor I could make happiest of the happy, & his income much better. If any person is to go to the Cape of Good Hope or to Buenos Ayres, or any vacancy in a good climate, I pray of you to think of me, or if Mr. Windham would want me in any other situation, he may depend on my energy, my zeal, my attachment and principle.

I have only now to say, that if you wish me to act here, you may depend on me for carrying any measure you may desire, because I know it will be beneficial to the Empire, and to assure you, that although I am at this moment most miserable, yet that I am most truly your grateful & attached friend

and obliged humble servant,
ROBT. THORPE.

P.S. If you would desire Mr. Gordon to look over my letters to Mr. Cooke you will perceive my fears, & my motives for my exertions to attach the people to the Government.

R. T.

No. 27.—LIEUT. GOVERNOR GORE TO MR. WINDHAM.

(Canadian Archives, Series Q., Vol. 306, p. 6.)

(*Extract.*)

York 19th January, 1807.

* * * * * * * *

Permit me to observe, that the present situation of this Province requires a firm conduct in the person administering the Government, for I ought not to conceal that there is a strong spirit of opposition existing, encouraged by persons from whom a different line of conduct might have been expected, and who since the death of General Hunter, by representations (which from the most positive proof, I know to be groundless and false) against the character and conduct of those placed in authority here, have endeavoured to oppose, perplex, and defeat the measures of the Government; under such circumstances, a want of obedience in the officers of the Crown must produce effects, the most pernicious and destructive.

No. 28.—LIEUT. GOVERNOR GORE TO MR. WINDHAM.

(Canadian Archives, Series Q., Vol. 306, p. 35.)

(*Extract.*)

York, Upper Canada 27th February, 1807.

* * * * * * * *

Very soon after my arrival in this Province, I received information of a party, of which Mr. Justice Thorpe, Mr. Wyatt, and a Mr. Willcocks, the Sheriff, were the leaders, that were endeavouring by every means in their power, to perplex and embarrass the King's Government in this Colony.

The invitations made by Mr. Justice Thorpe and Mr. Wyatt to join the party, will appear from the letters of the Solicitor General (B) and Mr. St. George (C).

(B.)

Solicitor General (D'Arcy Boulton) to Lieut. Governor Gore.

(*p.* 41.)

York 26th December, 1806.

Sir,—I received the honour of your Excellency's letter, alluding to the circumstance of Mr. Justice Thorpe having solicited me to join a party in opposition

to the King's Government and by which letter you are pleased to desire that will specify in writing the inducement which Mr. Thorpe held out to me to j such a party. With promptitude I shall comply with your Excellency's desire giving a brief statement of the circumstances. During the sitting of the Provinci Parliament last winter rather a formidable opposition was raised to the measur of Government, previous to an expected Division in the House of Assembly (which I was a member) on a question somewhat important, Mr. Thorpe to occasion, in consequence of my defence of the Government on previous days, to a me what I could mean by attempting to defend the conduct of Government. I co temptuously heard him, but from the dignity of his station was induced to inform him that I should have thought he would have been forward in blaming me if I ha adopted any other line of conduct. He replied, "he could not refrain fro "observing that if I did not join the opposite party, he thought I should risk m "situation as Solicitor General"— 'tis difficult for me to say whether indignatio or surprise seized most on my feelings. I remarked that if I was dismissed f adhering to the Government I was acting in concern with, it would be a novel cas I treated the suggestion with contempt, neither could I desist from warmth at wha I deemed an Insult. He continued his attack, adding the most indignant Reflectio not only on the existing Government, but on the late Lieutenant Governor. H daily attendance at the house coupled with the general tenour of his condu evinced a determination on his part to aid in subverting the then Governmen and cast every obloquy on the previous one. Tho' his general conduct wa marked with the most determined disapprobation of every act of Governmen yet it is difficult to offer instances, as it was chiefly made apparent by *Observatio* or *Gestures*. I have one Instance on a Memorandum taken in the House of Assembl from his mouth during our sitting. The Speaker politely offered him a seat withi the Bar (not being a Member). The house were endeavouring to get informati respecting Fees payable by Grantees of the Crown. The Clerk of the Council wa at the Bar, on being questioned he refused replying, stating that his Oath of Offic precluded his examination. Mr. Thorpe, tho' not a Member, observed that th house could compel him to be examined notwithstanding his Oath, and cited Lor Stafford's case, where the Privy Council were obliged to answer.

I have the honour to be, Sir,
Your most obedient humble servant
D'ARCY BOULTON
Sol. Gen.

(C.)

QUETTON ST. GEORGE TO LIEUT. GOVERNOR GORE.

(*p.* 44.)

YORK 22nd December, 1806.

SIR,—I have received so many favours from the British Government that think myself bound to it in gratitude, and as a loyal subject of the King, my du obliges me in conscience to make you acquainted with what I know respecting so Individuals of this place.

A few days since I was desired to call at Mr. Wyatt the Surveyor General, af my arrival there Mr. Wyatt told me that I ought as a man of property join t Opposition to the Government; that the late Governor had acted improperly; th if Mr. Thorpe got into the House of Assembly, they expected he would hav Majority, and then the Government would go to the Devil.

Mr. Thorpe has stated to me that he condemned the conduct of the Secretary the Province, in not prosecuting the Chief Justice.

The violent abuses I have heard spoke against the Government and your Exc lency personally, I will not repeat, as I felt ashamed of myself for having listen to it.

I am, with respect, Sir,
Your most obedient servant
QUETTON ST. GEORGE.

No. 29.—LIEUT. GOVERNOR GORE TO MR. WINDHAM.

(*Canadian Archives, Series Q., Vol.* 306, *p.* 48.)

(*Extract.*)

YORK, UPPER CANADA, 12th March 1807.

* * * * * * * *

After the violent and turbulent conduct of the House of Assembly, during the administration of Mr. President Grant, it affords me the highest satisfaction to inform you, without any attempt of the House of Assembly, to interfere with the measures, or to embarrass the Executive Government.

Not having had the honour to receive any directions from you, on the subject of Mr. President Grant's dispatch No. 14, I directed the sum of six hundred and seventeen Pounds thirteen shillings and seven pence to be replaced in the Provincial treasury, which had been applied to Public purposes by the late General Hunter, without the concurrence of the other Branches of the Legislature. This measure had the desired effect, by removing every possible ground of complaint, and the House of Assembly evinced its satisfaction, by withdrawing its claim to the appropriation of that sum. A resolution of the House passed to that effect, with only the dissentient voice of Mr. Justice Thorpe, who has uniformly opposed every measure that could promote the peace, or strengthen the hands of this Government.

I have every reason to believe, at the next sitting of the Legislature, that a sum of money, in proportion to the limited resources of the Colony, will be voted to his Majesty, for the support of the Civil Government of this Province.

I have the honour to be, Sir, with the greatest respect,

Your very obedient humble servant

FRANCIS GORE

Lt. Governor.

No. 30.—LIEUT. GOVERNOR GORE TO MR. WINDHAM.

(*Canadian Archives, Series Q., Vol.* 306, *p.* 59.)

YORK, UPPER CANADA, 13th March, 1807.

SIR,—It is a sense of my Duty, in the situation I have the honour to be placed, and my regard for His Majesty's interest, and I will add, for the safety of this Province, that have induced me to trouble you with a tedious narrative, respecting the character and conduct of Mr. Justice Thorpe, one of His Majesty's Judges of the Court of King's Bench; the particulars I have recited are numerous, some of them at first view unimportant, but taken together, disclose in the fullest manner, circumstances respecting that Gentleman, and this Province, which I conceive would be culpable in me to conceal, and I think it is highly necessary that you should be fully acquainted with. I therefore with earnestness solicit your attention to the following statement.

Very soon after the arrival of Mr. Thorpe in this Province, his public conduct attracted the notice of all considerate men; the publication purporting to be an Address from the Grand Jury of the Home District (A) in the first public exercise of his Functions as a Judge, evinced a strong disposition to make the Courts of Justice the theatres for Political harangues, and a subsequent one from the Petty Jury (B) (a thing hitherto unknown in this country) afforded a sufficient proof of a desire in the Judge, to encourage strictures on the Government from every description of persons, however incompetent they might be to form any correct opinion upon the subject, or however foreign such a subject might be, from the occasion for which they were convened.

As a proof that these were not the spontaneous effusions of the Bodies to whom they were ascribed, it is notorious that the address, as it was called, of the Grand Jury, was drawn up, and presented, by six or seven at most of that Body, without the concurrence of the rest, not in Court, but at the Judge's House, several days after the Court had risen.

Mr. Weekes, notorious for his revolutionary principles, soon became the most intimate and confidential friend of Mr. Thorpe, this Person who had been a Student at Law, in Ireland, and afterwards under the famous Mr. Aaron Burr at New York, was rather hastily and unadvisably admitted to the Bar, in this Province.

In the Session of the Legislature, held during the administration of Mr. President Grant, the House of Assembly was urged by Mr. Weekes to the most extravagant pretentions and the most violent proceedings. It was proposed to declare the appointment of Inspector of Public Provincial Accounts illegal, and to call the Inspector before the House, to answer for his conduct in the execution of his office; and they actually proceeded to examine complaints preferred before them by Mr. Wyatt, the Surveyor General, and Mr. Jarvis, the Secretary of Government, in the management and emoluments of their offices; and in the course of this investigation Mr. Wyatt carried his misconduct to such unpardonable extremity, as to produce his Commission and the Books of his office, without the permission or knowledge of the President; or even without the pretext for requisition from the House of Assembly (C).

It was generally believed, and it appears from his own declaration to the Solicitor General, and to the Chief Clerk in the Surveyor General's office, that in this extravagant conduct Mr. Thorpe was the prompter, who was constantly within the Bar of the House of Assembly (altho' not a member) and whenever the Partizans of such intemperate proceedings were at a loss, they were accustomed to leave their seats, to consult with him, and in one instance, when Mr. Small, the Clerk of the Executive Council, very properly refused, on account of his Oath of Office, to answer some questions that were put to him relative to the transactions in the Council Office, Mr. Thorpe, (who was not then a member) rose unsolicited to declare to the House, that Mr. Small could be compelled to answer and he had the effrontery to cite as a precedent the case of Lord Stafford (D).

Mr. Thorpe's intimacy with the Surveyor General, and the influence he had evidently over him, taught him to mistake the Functions and to overrate the Power of the House of Assembly, for, when I represented to Mr. Wyatt that his conduct had been highly improper and offensive to the Government, he told me "that the House of Assembly was omnipotent, and that it was his duty to obey it."

To act up in some measure to the high notions of authority they had imbibed from the Judge; the House of Assembly, in imitation of the British House of Commons, on occasions when the safety, or the liberties of the nation, are supposed to be in danger, resolved themselves into a Committee of the Whole House on the State of the Province. Yet with all the clamour raised by Mr. Justice Thorpe, Mr. Weekes and Mr. Wyatt, about grievances and oppression, words constantly in the mouths of our Provincial Demagogues, the result of this inquiry was to recommend some further indulgence as to time, to the Loyalists and Military Claimants for obtaining their Patents free of expense, and some greater facility to the sons of those Persons who had adhered to the Unity of the Empire, in their application for Land.

On the Western Circuit Mr. Thorpe's disposition and conduct were efficiently evinced by the address of the Grand Jury of the District of London (E), which he has ostentatiously given to the Public. The general impression, with respect to this address, more properly calculated for a Faction Political Committee, than a Court of Justice, is that the address of the Jury was prepared by Mr. Weekes, with the concurrence of the Judge, of which Mr. Thorpe's answer, if there were no other proof, seems to furnish internal evidence, and that by the solicitation of Mr. Weekes, the persons who were plain, uneducated men, were induced to subscribe their names to it, without being fully aware of its dangerous tendency.

On Mr. Thorpe's return to Niagara, the same indecent language against Persons, high in authority, and calumnies against the late General Hunter, Mr. President Grant, Chief Justice Allcock and Mr. Justice Powell, though wholly irrelevant to the cause before the Court, were again heard at the Bar and passed without reprehension from the Judge (F).

The indecency of Party Spleen and private animosity being permitted to take place in a Court of Justice, was not allowed to pass without animadversion by one

of the Counsel (retain'd in the same cause with Mr. Weekes). This took place on a Monday, and his strictures at the time were little noticed by Mr. Weekes, who the next day made an excursion into the country, and after passing the evening and the greater part of the night of Tuesday at a Tavern with the Judge and some other of his friends, he, on the Wednesday, sent a challenge to his Brother Advocate, and in consequence fell, the victim of his own turbulence, and as is generally believed, of the indiscreet suggestions of the Party who met at the Tavern.

The opportunity this gave to Mr. Thorpe of openly standing forth as a Factious Demagogue, was not neglected; he was proposed by the Democratic Party as a proper Person to succeed Mr. Weekes in the House of Assembly; and by the most solemn assurances, that he would pursue the same line of conduct, he secured his Election. The solemn mockery of his invoking at the opening of the Poll, the shade of his departed friend, "as looking down from Heaven with pleasure on their exertions in the cause of liberty"; The seditious emblem of his Party (a Harp without the Crown) (G); Thorpe and the Constitution inscribed on badges, which were distributed to his partisans, and his almost Treasonable allusion to the American Revolution at the close of the Election (H), are indeed ample proof, that he was not an unworthy successor to Mr. Weekes.

I had urged to Mr. Thorpe the impropriety of a Judge becoming a candidate for a seat in a Popular Assembly, and if such a step was ever doubtful, the circumstances attending this Election suffice to shew it, in the strongest point of view. Mr. Thorpe on the hustings was frequently engaged in altercations with a Rival Candidate and his Electors, and was occasionally assailed with the severest and most humiliating sarcasms, on his private character, as well as his Public Conduct; he has lost for ever that respect which his situation on the Bench ought, and is calculated to inspire, and it is impossible to suppose, that in the exercise of his Judicial Functions, he can be indifferent between his Friends and his opponents; that he can forget the hostility and abuse of the one, or the favour and support of the other.

Two mechanics of low education and worse character are amongst Mr. Thorpe's intimate associates, one of them (Eliphatt Hale) was presented by the Grand Jury for blasphemy, and as I am informed escaped conviction only by the removal of a witness.

Mr. Thorpe's conduct, since he has been elected a Member of the House of Assembly, has been most inflammatory; and however it is to be lamented that the Government have not greater influence in the House of Assembly, for during the Session which has just closed, he had been unable to carry any one point to embarrass the Government. He moved an address which was most insidious and inflammatory, on the subject of those Persons who had adhered to the Unity of the Empire, which was rejected. In his proposal for vesting the Power of Appointing Trustees to the Public Schools in the House of Assembly instead of the Lieutenant Governor, after a violent Declamation and abuse of the Executive Government, he asserted, that it was the privilege of the House of Assembly to nominate to office; in this attempt he was supported by two only; and on a question relating to the Duties imposed by the 14th of the King (which Mr. Thorpe contended was at the disposal of the Provincial Legislature) he stood alone! and I am happy to observe, that in the instance of a Judge of the Court of King's Bench making an attempt to derogate from the authority of the British Parliament, he would not in a popular Assembly, prevail on a single person to join him, notwithstanding his Pathetic allusions to the Revolt of the American Colonies.

When the business of the Session was nearly concluded, an address was moved in the House of Assembly to relinquish their claim to about Six Hundred Pounds, which had been taken out of the Provincial Funds, and appropriated by the late General Hunter (to particular Colonial purposes) without the concurrence of the other Branches of the Legislature, this measure was opposed by Mr. Thorpe with his usual violence but without effect.

I have enclosed for your information, a statement of what passed, at the first interview I had, by appointment, with Mr. Justice Thorpe, soon after my arrival

in this Province, and my remarks on what passed at that interview (No 1). Ho
ever absurd and malevolent some part of Mr. Thorpe's assertions may be, and ho
ever it may betray the Ignorance and indecent warmth of that Gentleman, the
circumstances might be overlooked and forgiven, had his observations been reserv
for my ear alone, but it is notorious that Mr. Thorpe, upon all occasions, is anxio
to introduce and enforce those Topics, and that he has not only made them t
constant subject of conversation in all Companies where he is admitted, but t
Theme of his Declamation in the House of Assembly, and the Rule of his Politic
Conduct.

Mr. Thorpe having accused the late Government of Peculation, I call'd up
him to state to me in writing, the particular acts of Peculation that Governme
had been guilty of; I transmit Mr. Thorpe's answer and my observations on
letter (No 2).

Such, Sir, is the career and such has hitherto been the conduct of a ma
whose peculiar duty it is to inculcate subordination, and to recommend and enfor
respect and submission to the Government. So has the confidence and liberality
the British Government been abused and perverted by some of its officers in th
Colony, and the friends of good order have seen with regret and indignation, Perso
sent into the Province with large salaries and in high official situations, industrio
only in doing mischief; spreading discontent amongst the Inhabitants; urging t
Democratic Branch of the Constitution to the most extravagant assumptions
authority and endeavouring, by every means in their power, to embarrass a
weaken that Government, which they were sent to aid and support. Emissari
sent by an Enemy to seduce the affections of the people would be much less dange
ous, their suggestions would be received with caution, and listened to with suspicio
but when the Common People hear a Judge declaiming openly against the King
Government, and see him opposing all its measures, they cannot fail to think th
something must be wrong; little accustomed to that eccentricity of character, wh
honour, duty and even Interest lie prostrated at the feet of vanity; it is impossib
for them not to suppose that this conduct must have some better foundation th
the working of a perverse self importance, determined at all hazards to be dist
guished.

The above narrative I am aware is long and unpleasant; I have stated eve
circumstance from an anxiety that you may not be misguided by a partial repres
tation. The documents to which I refer speak for themselves, and authenticate
statement.

The next circuit commences early in August, when Mr. Thorpe will have anoth
opportunity of disseminating his opinions, I therefore most earnestly request, th
you will honour me with your Instructions relative to this Gentleman.

I have no hesitation in giving my opinion, that if His Majesty is pleased to perm
Mr. Thorpe to retain his situation in this Province, that the most serious evils m
be apprehended. And I might not conceal from you, that I have been urged by t
most respectable Gentlemen in this Colony, for the sake of Public tranquillity,
suspend Mr. Thorpe from his situation as Judge; this advice I have resisted, havi
time to receive your directions, before the commencement of the Circuit; and c
fidently relying on your support to maintain order and authority in this Provin

I have the honour to be, Sir,
Your most Obedient Humble Servant
FRANCIS GORE
Lt. Governor.

(A.)

ADDRESS, GRAND JURY OF THE HOME DISTRICT TO JUDGE THORPE.

(*p.* 72.)

To the Honourable Justice Thorpe.

We the Grand Jury of the Home District beg leave to return you our since
acknowledgments for the most excellent charge you were so good as to give us

this our first appearance before you on the Bench; a charge delivered with such complacency and dignity, has excited in us the most lively sensations of satisfaction and pleasing prepossessions.

The energy and clearness with which you laid open to us our duties, has created in us a fervent desire to fulfil them, and must forcibly impress the country at large with that submission which they owe to those Laws which are their protection, and the aiding and assisting those to whom the execution thereof is entrusted.

In a new country like this, rapidly progressing in population, in improvement and prosperity, a Country where all Ranks of Society should harmoniously unite for general and individual comfort and security, it has been afflicting to us to be under the imperious necessity of presenting to you at our first meeting, an indictment for riot and an assault on the legal Constituted Civil authority; but we fervently hope, the clear explication of the law, and the tender caution which you so impressively addressed to the Country, will prevent any, through the plea of ignorance or bad advice, from committing future outrage. And from the firmness we have witnessed in you, we rejoice in the anticipation of tranquillity from the effects thereof; confident that the Sword of the Law, while it protects the peaceful subject, will execute its just vengeance upon the Disturbers of the Public Repose.

WM. JARVIS
for himself and fellows.

York, 30th October, 1805.

Answer.

Gentlemen,—In the discharge of my duty, to receive this kind and truly flattering work of your approbation, is highly grateful.

A young country particularly calls for care and attention; the bad habits of infancy are the miseries of age; but nurtured by your energy and zeal, we will advance to maturity, laden with the blessings of Constitution and Commerce; the best testimony of your services, the rich reward of your exertions.

As we love liberty, we must uphold the law, for liberty consists in freedom from restraint, except such as established law imposes for the good of the Community; therefore when the restraints of the law are overthrown, anarchy reigns, until the people in this lassitude of contention, succumb to tyranny, feeling the worst of Governments better than none.

Be assured we will convince the public we labour only for their happiness; disorder shall blushingly retreat to the barbarism from whence it sprung, leaving the Sword of Justice to rust in the scabbard, while the polish of tranquil civilization will illumine the Province.

We must toil together in the vineyard, we must train, we must prune, the People will gather the fruit.

I have the honour to be, Gentlemen,
Your obliged and very humble servant
ROBERT THORPE.

(B.)

Address of the Petty Jury to Judge Thorpe.

(p. 75.)

To the Honourable Mr. Justice Thorpe.

Honoured Sir,—Deeply impressed with the paternal and salutary admonitions contained in your benevolent and instructive charge of that part of his Majesty's subjects, convened as Jurors at this present Court. We cannot suppress the testimony, pleasure and gratitude we feel at your appointment as one of his Majesty's Justices in this Province. Convinced as we are of the high pre-eminence of the British Judicial Code, we beg leave to assure your Honour, that we want nothing but clear exposition of our duty, to direct us in the entire and perfect dispensation of Justice, so far as facts and our powers of jurors may enable us.

Permit us, Honourable Sir, whilst paying this tribute to yourself, to say, that we have the most lively sense of the general and particular protection of person, property and individual right, which the British Government affords to all its subjects; and that our feelings, loyalty and our attachments are in unison.

While we have the honour to subscribe ourselves &c. &c. &c.

Answer.

To the Gentlemen of the Petit Jury.

GENTLEMEN,—I delight in the sentiments of your Address; they are truly gratifying to me, they are highly honourable to you; they have driven calumny to shame, and established the purest principles, with the most upright conduct for universal imitation throughout the Province.

These are the paths to public prosperity, these are the ways to preserve liberty and property and secure them undiminished to yourselves and posterity.

Our only contention shall be, who will make the greatest exertion to maintain the connection, the Law and the Constitution of Great Britain, and render to the Province and People the most valuable service.

Be assured, Gentlemen, I am truly your friend

ROBERT THORPE.

YORK, March 29th, 1806.

(C.)

DONALD MCLEAN, CLERK OF ASSEMBLY, TO W. HALTON, SECRETARY.

(*p.* 77.)

CLERK OF THE HOUSE OF ASSEMBLY'S OFFICE,
YORK 1st February, 1807.

SIR,—In answer to your letter dated yesterday, I have the honour to acquaint you, for the information of his Excellency the Lieutenant Governor, that C. B. Wyatt Esquire, the Surveyor General, appeared at the Bar of the Commons House of Assembly last Session, and there produced his Commission (which was read by a Member standing up in his place) and the Books said to belong to his office; the House was then in a Committee of the whole; no warrant had issued from the Chairman of the Committee to command the attendance of the Surveyor General to produce either his commission or the Books of his Office.

I have the honour to be, Sir,
Your most Obedient and humble Servant

DONALD MCLEAN
Clerk of the Commons House of Assembly.

WILLIAM HALTON, Esq.,
Secretary to His Excellency the Lieut. Governor.

(D.)

MR. D'ARCY BOULTON TO LIEUT. GOVERNOR GORE.

26th December, 1806.

(*See No.* 28 *of this note, enclosure B.*)

(E.)

GRAND JURY, LONDON DISTRICT TO JUDGE THORPE.

17th September, 1806.

(*See No.* 21 *of this note.*)

(F.)

HON. ROBERT HAMILTON AND JOSEPH EDWARDS ESQUIRE TO LIEUT. GOVERNOR GORE.

(p. 83.)

Copy of a Letter from the Honourable Robert Hamilton one of his Majesty's Legislative Councillors, Lieutenant of the County of Lincoln and a Magistrate for the District of Niagara and Joseph Edwards Esquire also a Magistrate for the said District, to His Excellency Francis Gore, Lieutenant Governor of the Province of Upper Canada.

SIR,—The very extraordinary circumstances which have occurred at the last assizes for this District, and which unfortunately have led to the death of a Member of the Society; we think it our duty, as we had the honour to be associated on the Bench with Mr. Justice Thorpe, to state to your Excellency. In a case in which Mr. Weekes the Attorney was employed, he took the opportunity while addressing the Court, to introduce the character of our worthy late Governor, Lieut. General Hunter, the Chief Justice Mr. Allcock, and several others of the most respectable characters in the Government of this Province, and to rail against them with the utmost degree of asperity. General Hunter he stigmatized with the epithet of "Gothic Barbarian whom the providence of God had removed from this world for his tyranny and Iniquity."

He stated Mr. Chief Justice Allcock as having a personal animosity against his present client and as having been the cause of the Indictment being preferred, and attempted to turn his character to ridicule by relating idle stories equally (as we believe) groundless and malevolent.

The presiding Judge sat with the greatest composure to hear this abuse, tho' totally irrelevant to the cause then before him, if he did not applaud, he certainly shewed no serious signs of disapprobation.

We his associates indignant at this indecent conduct from the Bar, and at the apathy in the Judge, would have left Bench to show our resentment, had not respect for the Court detained us, resolving however most determinedly never to be exposed to the like again, by declining this and all other duty with this Judge. Mr. Justice Thorpe had the day before requested the early attendance of the person whose signature is first to this paper, assigning as a reason, that he understood a very elaborate argument was to be given by Mr. Weekes. As the argument produced was elaborate only in malice and misrepresentation, we are tempted to believe that the Judge if not aiding in the falsification, was certainly previously acquainted with the matter it contained, and that it was not delivered without his privity and probable consent.

Your Excellency has doubtless been informed that this Mr. Weekes has since fallen a sacrifice to his malice and obstinacy; here too we fear the interference of the Judge, or of his part, operated in forwarding the melancholy event. We are assured that for some time after Mr. Dickson's replication to this speech in which he warmly reprobated such language as disrespectful in the highest degree to a Court of Justice, and most probably arising from private malevolence and the rancour in the speaker's mind, Mr. Weekes showed no signs of particular resentment to Mr. Dickson; that he even had left Niagara on his return to York and unexpectedly returned the following morning and gave a challenge from which no reasonable explanation could induce him to recede. We have strong reasons for thinking that the conversation of this Party, that perhaps some rash promise given when warm, produced that obstinacy which proved fatal to him.

In the above statement we have carefully recited facts to the best of our recollection. In matters of opinion we have to request you to excuse what may appear erroneous.

And we are with sincere respect
Your Excellency's most obedient and very humble servants
R. HAMILTON,
JOSEPH EDWARDS.

(G.)

THOMAS B. GOUGH TO THE ELECTORS OF YORK, DURHAM AND SIMCOE.

(*p.* 87.)

To the independent and respectable electors of the County of Durham, the East Riding of the County of York and the County of Simcoe, who honoured me with their support at the late election.

GENTLEMEN,—Permit me to return you my most sincere and grateful thanks, for your exertions in my behalf in the late contest; exertions as honourable to you as flattering to me; although your efforts have not, on this occasion, obtained their merited success, I pledge myself to pursue my endeavours where I hope and have a confidence of obtaining the object of your wishes.

You went to the husting, Gentlemen, under the banners of liberty, loyalty and union, with hearts animated with pure love of King and Constitution, and many of you have proved your attachment thereto by shedding your blood in their support; but your opponents were preceded by the standard of Discord, Anarchy and Rebellion, which in another part of the Empire has led thousands to a premature Death, and many who escaped the horrid carnage of the field expiated their Treasons in the vain attempt to sever the Crown from the Harp, by an ignominious exit at the Gallows and their heads were affixed as public spectacles, to warn the deluded; but charity and the honour of this country impels me to hope it was only the incautious indiscretion of the unthinking.

I have also to return my thanks to many, who on account of the lateness of my offering myself as a Candidate, had so far previously engaged themselves, as not to be able to retreat with consistency, though I had their warmest wishes, I could not avail myself of their support.

Persevere, my friends, in your attachment to your King, maintain the good order you have been accustomed to, pursue your industry, and cherish your domestic comforts; follow the dictates of reason, but be not deluded by discontented Demagogues and when other parts of the world may be desolated by the ravages of war, or agitated by internal commotion, you will be tranquil and secure.

I am, Gentlemen, with gratitude and respect,

Your faithful humble servant

THOMAS B. GOUGH.

YORK, 8th January, 1807.

The following is the answer to Mr. Gough's address (enclosure A). The answer is in Series Q., Vol. 310, p. 74.

At a meeting of the independent Freeholders of the East riding of the County of York, and the Counties of Durham & Simcoe, held at Hoyle's Tavern, Jan. 13th, 1807.

William Willcocks Esq, in the Chair.

The following resolutions were unanimously agreed to.

Resolved, That as part of an address signed Thomas B. Gough & published in the *Gazette* of the 10th January, tends to irritate and influence the public mind & as it might be used as an instrument for misrepresenting the loyal, independent & constitutional exertions of the Freeholders who voted for Mr. Justice Thorpe, We feel it our duty to declare, that the second part of said address is false, malevolent, calculated to sow the seeds of discontent & to diffuse ideas of the most dangerous tendency among the people.

Resolved 2. That the aforesaid Electors were not preceded by any Flag of Discord, Anarchy or Rebellion, but were preceded by the most appropriate & constitutional flags, neither borrowed or hired for the occasion, but constructed by themselves. The first large flag was *blue*, with *G. R.* and the *King's Crown* over it, the Union Cross in the corner & at the bottom the Royal motto *Dieu et mon Droit*. The second pink flag with *The Freedom of Election* worked on it, & three smaller ones of dark blue, with the Harp (as taken from a compartment in the British

standard) surrounded with these words *The King, the People, the Law, Thorpe & the Constitution*, more loyal or constitutional symbols could not have been displayed upon any occasion.

Resolved 3. That we know no discontented Demagogues, nor if we did could not be deluded by them, many of us have fought, bled & sacrificed our families & properties for the British Government, we have exerted & ever will exert ourselves to preserve the freedom of election from all undue influence to the last moment of our lives shall be ready to support our King & Constitution.

Resolved. That the above Resolutions be published in the York *Gazette*.

W. WILLCOCKS, *Chairman*.

The printer was not permitted to insert the above Resolutions in the *Gazette*, not to print them in any shape.

Endorsed. The violent address of Mr. Gough the Government candidate, ordered by the Secretary to be printed & the mild reply of the independent Electors which was refused.

This will show the exasperating arbitrary propensity of the Government and the state of the press, which is turned to an instrument to calumniate & misrepresent the people who are most loyal and most attached to England tho' dreadfully oppressed after having made every sacrifice in life for their King.

(H.)

WILLIAM ALLAN TO LIEUT. GOVERNOR GORE.

(p. 89.)

YORK, 5th January, 1807.

SIR,—I consider it my duty as Returning Officer at the late Elections, to inform your Excellency that Mr. Justice Thorpe is returned as Member.

Mr. Justice Thorpe, after the closing of the Poll, made a long harangue to the people then present (mostly his voters) as I conceived tending to disseminate principles by no means favourable to the Government of this country, telling them "they did not know their value to Great Britain; there was no Law in this Country "to prevent their meetings; that the Habeas Corpus Act had never been suspended "here." He reminded them "of the separation of the United States from Great "Britain—He loved the people" &c., which appeared to me was intended to impress them with an idea, that their situation in this country might render them Independent of Great Britain.

As a Magistrate and a loyal subject, I have felt myself called upon to state the above circumstances to your Excellency.

I have the honour to be with due respect,
Your Excellency's most obedient servant

WM. ALLAN.

No. 1.—CONVERSATION BETWEEN JUDGE THORPE AND LIEUT. GOVERNOR GORE.

(p. 99.)

Conversation which took place between the Lieutenant Governor and Mr. Justice Thorpe, in the presence of William Halton Esquire, the Lieutenant Governor's private Secretary.

31st October, 1806.

A. Mr. Justice Thorpe came by appointment and began by stating the great public benefit (as well as private advantage to the Governor) that would ensue upon Government purchasing a Tract of Indian Land between Sandwich and Malden, about seven miles square; and which might be particularly appropriated to the successful culture of Hemp.

B. Presented some Certificates from Persons who had grown hemp and could not obtain the promised Bounties, which caused dissatisfaction, also Memorials from the Grand Juries of London and Sandwich, about the very bad state of their respective Prisons and Roads.

C. He next observed with much warmth and emphasis, that the whole of the late Governor Hunter's Government had been a system of coercion, that then the little Magistrates about him had been taught to coerce; and that the People had been treated as if they had been soldiers.

D. When pressed by the Governor to be specific; he said a considerable part of the discontent arose from the manner in which Mr. McGill had treated the U. Es., and that he, in fact, was the man who had governed the Province, for that a U. E. might pass both the Governor and the Council, but, after that, Mr. McGill either put him on the U. E. list or not, just as he pleased.

E. That this delightful Province, which was intended to be a Bed of Down for those who had fought and bled for their King and their Country, had been stripped of its Down, and planted with Thorns, to enrich a few individuals.

F. That the U. Es. perceived with the greatest concern and discontent the very People against whom they had fought and contended in the Field, procuring Lands and living comfortably, while they themselves were starving.

That the U. Es. who came into the Province, were highly disgusted at seeing Mr. McGill so high in situation, when they had known him so low amongst them in America.

G. That Mr. McGill's appointment by General Hunter, to be Inspector General, was impudent, illegal, and an affront to the King, as two Departments for that purpose already existed; viz.: Mr. Russell, the Auditor General and the Executive Council.

H. That the House of Assembly were well aware of the illegality of Mr. McGill's being Inspector General, and that they meant to have made it subject of Debate last Session, had he not conciliated them, and prevented it.

I. That Mr. McGill's sitting in the Council was also illegal during Mr Grant's administration, inasmuch as he only sat, under a mandamus which specified, that he was only to sit in Council, when summoned to do so by the Governor, as a supernumerary.

K. That the same circumstances exactly applied to Mr. Chief Justice Scott's sitting in the Council.

L. That these two Gentlemen were the Persons who made Mr. Grant President that they had asked his opinion about it and he told them it was not legal; as the Seniority of Councillors depended on the priority of their taking the Oath, that Mr. Russell had taken the Oath first, but it did not much signify, which of the two old women administered the Government.

M. That both Mr. Scott and Mr. McGill had risen from the lowest situation and were exalted to the highest, to the great detriment of the Community, and that neither of them had any more right to sit in the Council than Mr. Halton or himself.

N. That there was a Book in the Council which would prove Mr. McGill having put names on or off the U. E. list, or altered them just as he pleased. That there was a Gentleman, an Englishman, and a man of honour, who could inform the Governor of the foregoing circumstances being true, and that Mr. Small was the man. (Note in red ink: See Mr. Small's letter marked O). On being asked if he had derived his information from Mr. Small, he replied he had not, but he had mentioned these matters to Mr. Small who was surprised at his having such information shook his head and allowed it to be true.

P. That from the uniform system of coercion that had been pursued the People were highly discontented, and from this cause it had been said that two hundred Americans might take the Province from one end to the other and he believed the Government to have been so bad that it could not have lasted more than three years.

That the last Government had not influence over three Members in the House not even to get a common Bill read, for which purpose he had been applied to

that in his sittings as Judge the discontents of the People against it were very strong, and that altho' his own mind was full of their peculation and viciousness, he had thrown it only on their incapacity, and addressing the Governor very earnestly said, were his Sovereign sitting before him, he should think it his duty to inform him of these circumstances. (Note in red ink: See Remarks on Mr. Thorpe's letter of the 18th November, 1806).

That all the Offices had been ill treated; Mr. Wyatt's, Mr. Jarvis's and Mr. Small's, that Mr. Wyatt had great restrictions placed on him, tho' his Commission vested him with full powers, but that all depended on Caprice, for People stood [high] today and low tomorrow and the rate of fees just the same.

Q. That another source of discontent was the scandalous multiplication of Indictments for private benefit; because the Attorney General had got seven pounds ten for them.

R. That every thing here ought to be like England; and that such a disposition might probably allure the Northern States of America into the arms of Great Britain.

He believed General Hunter was clean handed (note in red ink: See Mr. Thorpe's letter of the 18th November, 1806), but as the people were ignorant to what purpose Twenty Dollars of every Fee for a common lot were appropriated, it left doubts and suspicions against him in the public mind; and People in conversation observed to each other, they could not comprehend how these Twenty Dollars were disposed of.

S. That taking fees in the above mode was a bad one, and that by proper management, they might be regulated and taken under an act of the House.

That some paltry abatement of fees, of five pounds, had been made to favour Lord Selkirk, which gave great dissatisfaction.

That Mr. Russell had agreed with him that everything had been carried on in a most scandalous manner, and also coincided with his Opinion of Mr. Scott and Mr. McGill, but he did not know whether Mr. Russell would acknowledge it now.

T. That the People of this Province were extremely well disposed, and that the smallest coincidence with their wishes would do a great deal.

That the Governor came into the Province at a very favourable period; the public mind being much irritated; and that by a different line of Conduct, he had it in his power to attach the people to him enthusiastically. When asked to Commit the Heads of his Conversation to writing, he declined doing it, as well as making any specific charges in the same way against Mr. McGill.

WM. HALTON.

Remarks on the preceding Conversation.

(p. 91.)

A. That the successful culture of Hemp would be of great and general advantage to the Province is beyond a doubt, and the Legislature, as well as the Executive Government have shown every disposition to encourage it, but without any great effect hitherto. How the tract of Land here intended, could be applied to this purpose, is not explained—the lure he throws out of *Private advantage* to the Lieut. Governor looks very like a wish to make a job of it.

B. The Certificates to persons who had grown Hemp, and received them before the expiration of the Law; altho' they could not be presented in time to the Commissioners at York, ought in justice to be paid, and the Legislature will doubtless make the necessary appropriations for that purpose. With respect to Prisons and Roads, Provision is made by Law, by local assessment and labour for both these objects. But the Legislature has been too hasty in erecting new Districts at the solicitation of the Inhabitants, who now complain that they are not able to support the Burthen of their Organization. The subject is well worthy the attention of the Legislature, but though Mr. Thorpe has talked wildly enough about Roads in the House of Assembly, he has said nothing about Prisons, as he knows that an appropriation from the Provincial Fund for the benefit of any particular District would be rather an unpopular subject.

C. With the full benefit of the English Laws the system of Coercion (if he means anything else than a settled disposition to enforce the Laws) ascribed to General Hunter, and the subordinate Magistrates is impossible. General Hunter did indeed, and very properly, expect and strictly require every man in public office to do his duty.

D. With respect to the U. E. Loyalists and Military claimants, the Government of the Province, so far from having interposed any Barr to the intended Bounty of the Crown towards them, have indulged them much beyond the Intention of the original orders in their favour. In 1788 an order of the Governor and Council of Quebec extended to every description of Military Service the additional Quantity of Lands allowed to Officers of the 84th Regiment, and in 1789 another order directed that the children of the U. E. Loyalists, on their coming of age, should have 200 acres of Land free of Expense. But both these Orders were expressly confined to Persons who had duly improved their first locations, thereby evidently intending to limit the benefit of these orders to those then actually within the Province; partly no doubt upon this obvious principle, that those who shrank the hardships and toil of settling a new Country, ought not after it had been cultivated and the Lands made valuable by the labours of others, have the same indulgence as the original settlers. But instead of adhering to any principal of this kind, the Government of this Province, until the administration of General Hunter, departed both from the letter and spirit of those orders, and extended the Benefits of them to all who came into the country before the year 1798, at which period all grants under Provincial Authority were put an end to (except those to the children of U. E. Loyalists) by Instructions from His Majesty. Yet Mr. Thorpe and others of his stamp, not attending to, or probably ignorant of, these circumstances, cry out against the Government for stopping even here; and are at great pains to persuade Emigrants from Nova Scotia and others of His Majesty's Colonies, where they have probably had Lands, and every other Bounty originally bestowed upon the Loyalists, that they are injured and oppressed, because they cannot even now, obtain Lands free of expense.

M. The insinuations against Mr. McGill and Mr. Scott respecting their former exertions, betray the Rancour of a little mind. Even were they true, they could derogate nothing from their respectable character.

N. In making up the U. E. List many Errors were committed in all the Districts; the names of persons inserted who were merely Military claimants or who had been residents in Provinces not involved in the American war, or in some cases of those who had emigrated from the American States since the Treaty of 1783. It was doubtless the duty of Mr. McGill, as Inspector General to report such cases (and there were many) and to prevent the Government from being charged for the passing of Patents to People who had no just Titles to receive them free of expense.

F. That some persons engaged in promoting the American Revolution have obtained lands in this Province, must, I fear, be admitted, and that in general too much has been given to Emigrants from the American States, for the future Peace of the Province, though much to be regretted is too true; for the rest, if People are poor in this country, it must be because they will not be industrious. Diligence and Idleness will everywhere produce the same effect, the difference is not confined to any system of politics.

E. If this Province becomes a Bed of Thorns, it can only be from the Principles that Mr. Thorpe is most industrious in disseminating. He indeed is very busy in sowing and cherishing the seeds of Ingratitude and Disloyalty. How the arrangements in the Land Granting Department can have a tendency to enrich a few at the Expense of the Majority, it is impossible to conceive. Officers of course have had larger Grants than Privates, yet the latter have been provided with larger allotments than they had any reasonable claim to, and those who are not so unfortunate as to have such People as Mr. Thorpe in their neighbourhood (to make them imagine grievances where they felt none) are, as they have reason to be, very well satisfied.

G. That the appointment of Mr. McGill as Inspector General has been highly useful, experience has proved, and it is doubtful whether Mr. Thorpe has betrayed his Ignorance or his Independence most, in speaking of it in the manner he does.

H. It was he who urged, instead of preventing, the ridiculous attempt to persuade the House of Assembly to call in question the Legality of this appointment.

I. With respect to Mr. Grant, it would seem that in determining the seniority of the Executive Councillor, the circumstance of his name being first on the list transmitted, and made up at home, on the first organization of the Province must be decisive.

The Executive Council never did consult Mr. Thorpe on this subject.

I.K. The remark of Mr. McGill and Mr. Scott's sitting in Council only under particular circumstances seem altogether futile. Yet Mr. Thorpe has taken all possible pains to make it be believed that Mr. Grant was placed improperly at the head of the Government, and that in consequence every act of his administration was illegal.

P. Truth is always consistent, but what can be said of a man who in the course of one conversation asserts that the people are so discontented, that it had been said "two hundred Americans might take the Province" and (T.) a little after that the "people were extremely well disposed, and that the smallest coincidence with their "wishes would do a great deal"—the plain English of all this is, let me dictate to you, and everything will go well. *I, the People*, though not the actual language is in reality a characteristic motto of Mr. Thorpe and every other factious Demagogue.

Q. Almost scandalous assertion that many Indictments must here be tried at the Assizes that are in England decided at the Quarter Sessions is unavoidable, for where these involved a point of Law, there are few of the Magistrates in the country capable of forming a correct Opinion on the Question, and should they even happen to be right, their decision would not have the proper degree of weight.

R. In prosecution of the idea that everything here ought to be like England, Mr. Thorpe has been endeavouring to urge the Assembly of this Province to act [as] though it was the Representative Body of an Independent State, and even to arrogate to themselves a Right to dispose of the Property of the Crown, which the British Parliament has never assumed.

S. There is a most insidious attempt to introduce the House of Assembly into the Management and disposal of the waste Lands of the Crown.

FRANCIS GORE
Lt. Governor.

O. Copy of a letter from John Small Esq, clerk of the Executive Council to William Halton Esq, the Lieut. Governor's private secretary, dated Council office, 16th November, 1806.

SIR,—In obedience to His Excellency the Lieut. Governor's command, I inform you that there is a Book kept in the Council Office, called the U. E. list, in which several names have been, some expunged and others suspended; but how far Mr. Justice Thorpe can conceive himself justifiable in stating to His Excellency that Mr. McGill has put on and taken off, or altered names at his pleasure in this Book, I know not, but I positively deny acknowledging to him that such a statement was true.

I have the honour to be, Sir,
Your most obedient humble servant
JOHN SMALL
C. E. C.

No. 2.—JUDGE THORPE TO LIEUT. GOVERNOR GORE.

(p. 106.)

YORK, 18th November, 1806.

SIR,—Altho' no person has any right peremptorily to desire me to specify in writing, the particular acts which brought conviction to my own mind on any general matter which had not been investigated before me judicially, yet as I am most anxious to gratify your Excellency, I will specify such acts as I have heard of, and can immediately recollect, as assisted in giving conviction to my own mind, that there was peculation in the late Government.

I must call your Excellency's recollection to the conversation which gave rise to this cursory observation, when on the subject of the late Government, I remarked it was insinuated that I wished to embarrass them (you know from what I have related it was my duty not to countenance them) but I did assure you, that I never had publicly spoken or written anything against them, until the London address forced some observation from me, and that I only imputed incapacity to them, altho' my own mind might have been impressed with a conviction that there was peculation, I also did assure you most truly that I did prevent the investigation of subjects, which would have severely annoyed them, because I knew these subjects would create still more discontent in the Province, I mentioned my surprise that General Hunter (who I believed to be as pure a man as to public money could be) would lay himself open to the insinuation of having embezzled public money, because he never brought into the public accounts, money raised by fees on Lands, nor by the Revenue sent from Lower Canada, thus having shown I did not mean to insinuate anything against the late General Hunter, I come to these things which I have so often heard of, that my mind is impressed with an idea, that there has been peculation in the Officers of Government, the immense tracts of land in the best situations, given to themselves, their families, relatives and friends, when others better entitled have been refused, their charging themselves, families, relations, and friends, smaller fees than others equally entitled; their charging fees to some and not to others in similar situations, their charging fees to those they had no right to charge, and after holding them for years, when threatened with prosecution their having refunded them, and their having taken fees and not accounting for them; various accounts, I have also heard, are completely kept back from the Public eye; these are what I can immediately call to memory, that impressed me with that conviction, but the investigation of such things I could not go into nor the proofs ever seek for, or suffer any one to relate, because some of them were to have been brought before the Court this last term, and on the issue many more might have followed, I repressed but could not control observation.

Permit me now to remind your Excellency, that our conversation was private and confidential, that the force of my observations tended to shew that the system pursued by the late Government had stunted the growth of the prosperity of the Province, had kept it useless to the Mother Country, and had brought it to the verge of being lost to Great Britain; also I endeavoured to impress on your mind, that at the very moment England wanted every guinea she could raise, to support her in the glorious contest she was engaged in, that these were useless and burthensome Departments here, which might be struck off, by which twenty thousand a year could be saved to England, and more justice and satisfaction given to the People here; I thought it but doing my duty to my King and the British Government to make that statement, and when I brought representations from Districts which I had passed thro' as Judge of Assize, I considered it my duty to your Excellency's Government to make such observations as might tend to benefit the Province, harmonize the People, preserve and render it valuable to Great Britain, and I must remark that I had not the slightest idea, that a cursory observation, on an impression made on my mind, the proofs of which I never could investigate, nor ever suffer to be related, should be the only point noticed, while the great objects I endeavoured to impress seem to have escaped attention.

Considering your Excellency as representing my Sovereign, from whom I should withhold nothing, I have put in writing the specific acts, to the points you desired, although your desire was conveyed in a tone very different from what that gracious Sovereign would have used to any gentleman in his dominions, and highly different indeed from the stile in which he would have applied to one of the Justices of his own Bench.

I have the honour to be with great respect,

Your Excellency's most obedient and

Very humble Servant

ROBERT THORPE.

Remarks on Mr. Thorpe's Letter.

(*p.* 111.)

Altho' in his letter, Mr. Thorpe speaks but from report, and concerning some particulars that must have taken place about eight years before he came into this Province, yet I lost no time to examine into the reality of his statements. I was a stranger, and wished to obtain information, and was anxious to discover in whom I could confide; I now state the result of my inquiries.

The statements in Mr. Thorpe's letter, so far as they apply to the past operations of this Government, appear to me to be as follows:

First. Lieutenant Governor Hunter had not brought forward into the Public Accounts, fees received for Lands; nor the revenue received from Lower Canada; and that the Officers of Government had received fees for which they never did account.

Secondly. That immense tracts of Land had been given to the officers of Government, their relations and friends; smaller fees having been charged to them, than to others equally entitled.

Thirdly. That fees had been charged to some persons and not to others in similar situations, and to some persons who ought not to be charged at all, and that the last mentioned fees had been refunded when a prosecution had been threatened.

Fourthly. That articles for building had been taken from the King's Stores and applied to private uses.

To understand the statement in Mr. Thorpe's letter, it is necessary to observe that the word "Fees" is not only applied to what is paid to the different Officers of Government, on every Patent that is issued for Land, but also to a much larger payment to the Crown, upon the issuing of such Patents—it is to the last mentioned payment that Mr. Thorpe's observations can only *apply.*

As to the first charge made by Mr. Thorpe, with this explanation, I have to observe, that by Documents laid before me, it appears that a regular account of the fees paid to the Crown has been half yearly made up and transmitted by the Receiver General to the Lords of the Treasury; another that the Revenue from Lower Canada has been annually inserted in the public accounts laid before the Legislative Assembly; nor have I discovered that any of the above mentioned fees have not been accounted for by the Officers of Government.

With respect to the tracts of Land bestowed on the Officers of Government, as stated in his second charge; the fact upon investigation appears to be this: By His Majesty's permission in the year 1798, such persons as were then Members of the Executive Council, did receive a portion of Lands, which together with the Lands they had before attained by virtue of the King's instructions, amounted to six thousand acres; for such Lands payment was not only made of the fees that belonged to the Officers of the Land granting Department; since the above period, his Majesty has been pleased to grant to certain individuals, Lands subject only to the like fees, as had before been paid by the Members of the Executive Council.

It is true, as stated by Mr. Thorpe, that the families and friends of some of the Officers of Government did obtain grants of Land, which the Governor in Council had authority to bestow; but it is equally true, that as to fees of every description, they were on the same footing with other inhabitants of this Province, and here I must observe that since the commencement of Lieutenant Governor Hunter's administration, the members of the Executive Council, and other Officers of Government (unless by the King's command) have derived no advantage as such, either as to the quantity of land which they have received, or the amount of the fees which they have paid.

As to what is inserted by Mr. Thorpe in what I call his third charge, respecting partiality with regard to the amount of fees required from different individuals, I can only say that I have not discovered any foundation for that assertion.

Amidst the number of alterations which have, from a variety of causes, taken place in the Table of Fees, it would be rash to maintain, that the Governor and Council may not have sometimes erred in their judgment respecting them, but that in any instance they have acted corruptly, I have no reason to believe.

Respecting the application of the King's stores to private purposes, mentioned also by Mr. Thorpe, the charge as to fact is true, but it is charge, if my information be correct, of which those who were at the head of public affairs need not be ashamed; about eight years since the seat of Government was removed from Niagara to this place, then a wilderness, the difficulties which persons had to encounter, who from the situations they held were compelled to reside there were extreme; under such circumstances, some materials for building were delivered out of the King's stores, which could be obtained nowhere else, to such persons, upon an obligation being given by them to replace such materials, if required.

He also speaks of the Province as being on the verge of being lost to Great Britain. Mr. Thorpe must have been unfortunate in his associates to form such a conclusion. Notwithstanding his Industry in suggesting and magnifying subjects of Discontent, the effects are not so great and extensive, as he and his friends may suppose, and perhaps wish.

FRANCIS GORE,
Lt. Governor.

No. 31.—LIEUT. GOVERNOR GORE TO MR. WINDHAM.

(*Canadian Archives, Series Q., Vol. 306, p. 119.*)

YORK, UPPER CANADA,
23rd April, 1807.

SIR,—I have the honour to inform you, that from the general and notorious bad conduct of Mr. Joseph Willcocks, Sheriff of the Home District of this Province, I have considered it as an indispensable duty to remove him from that office, and have appointed Miles McDonell, Esquire, late a Captain in the Canadian Volunteers to succeed him.

I have also the honour to transmit copies of five affidavits, respecting the conduct of Mr. Willcocks, which will, I trust, point out in a stronger point of view, the necessity of the step which I have been induced to take, than anything I can offer on the subject.

I have the honour to be, with great Respect,
Sir,
Your most obedient humble servant
FRANCIS GORE
Lt. Governor.

AFFIDAVITS.

GEORGE RICHARD FERGUSON.

(p. 120.)

Upper Canada.

George Richard Ferguson of York in the Home District Esquire maketh oath and saith That on or about the Twenty seventh day of November last past he this deponent was at the house of Mr. John Mills Jackson in the Township of York in company with Joseph Willcocks, Esquire, Sheriff of the Home District and some others. The Sheriff began the subject of Politics with great warmth when this deponent requested he would desist. That the Sheriff did not desist, but said that the Government were trying to crush and make a beggar of him. This deponent remarked that such Language came ill from him, who derived his Bread from the Government, and even if he was crushed, he could leave the Province as he came into it, a Beggar. The Sheriff said he would produce some official Papers (which he took from his Pocket) to shew how tyrannical the Government was. This deponent opposed his producing any official papers there, being in a mixed company. Mr. Jackson insisted on their being produced and read; that it was in his House, and that he would support the Sheriff, who he knew was for the people. The Sheriff replied that he was for the people, that he knew the people were ripe for anything, and that he was determined to support them.

This deponent further saith that about eighteen months past he this deponent and the said Sheriff were in company, when the Sheriff said that if, Bonaparte lived he would carry Republicanism through the world, and till then, the world could never be happy nor at rest, and that he often suppressed his admiration of a Republican Government before any other, and that the poor Rebels in Ireland were not supported as they ought to have been, but were sacrificed. After the election of Mr. Weekes he said, that that Parliament would be the most eventful one there had ever been in the Country, and that there would shortly be different leaders to these pusillanimous Mortals that now were taking the lead in Government.

GEO. R. FERGUSON.

Sworn before me at York, in Upper Canada, this Twelfth day of February 1807.

JOHN SMALL,
J. P. & Clerk of the Crown &c.

LIEUT RANNY L. BESSERER.

(*p.* 122.)

HOME DISTRICT YORK, to wit

Personally appeared before me Duncan Cameron Esquire, one of his Majesty's Justices of the Peace in and for the said District, Ranny L. Besserer, Lieutenant in his Majesty's New Brunswick Regiment, and being duly sworn upon the holy Evangelists made oath and said that on the 27th day of November, 1806, being with several others at the house of a person recognised as John Mills Jackson Gentleman in the Township of York and the District aforesaid, that amongst other expressions the following were repeatedly made use of by Joseph Willcocks Esquire Sheriff of the said District: That he would expose to the Public his correspondence with the Solicitor General's Office, to shew the Tyranny and oppression of the Government, that they were trying to crush him because he would Defend the Rights of the People, which he would do to his utmost, and further this Deponent saith not.

RANNY L. BESSERER.

Sworn before me at York aforesaid, this 13th December, 1806.

D. CAMERON, *J.P.*

TITUS GEER SIMONS.

(*p.* 123.)

I, Titus Geer Simons of the Township of Flamboro' West in the County of York, in the Home District of the Province of Upper Canada, Gentleman, make oath on the holy Evangelists of the Almighty God, before Duncan Cameron Esquire, one of his Majesty's Justices of the Peace in and for the District aforesaid, do declare that on the 27th day of November now last past, having rode in company with several Gentlemen to the house of Mr. John Mills Jackson, on Yonge Street, and was there invited by the said Mr. Jackson to dine with him and some other Gentlemen, to wit, Captain Richard Ferguson, Mr. Sheriff Willcocks, Baron de Hoen, Lieut. Besserer and Mr. Cheniquy. We sat down to dinner at a late hour. The then approaching election became the topic of conversation, in which Mr. Jackson and Mr. Willcocks appeared warmly interested. Immediately after removing the cloth, the King's health was drank, and that of several noblemen in England of whose friendship and confidence Mr. Jackson boasted. I was asked for a toast, I gave the Lieut. Governor of the Province. "Apropos," said the sheriff, "how is the Governor spoken of in your neighbourhood?" (meaning the head of the Lake), those said I, who have had any business to transact with his Excellency have met with every satisfaction which the nature of their case required, for my part I can only speak from his general character, which I believe to be an amiable one. "So do I,"

said Mr. Sheriff, "and in order to exonerate him from the imputation which report "is disseminating through the country; That I am most shamefully and most cruelly "oppressed, for reasons unknown to myself and my friends—That he is my implac- "able enemy, and that his persecution will only cease on my being ousted,—and I "say in order to clear his Excellency from this charge, I will read a letter which I "have this day received from the Solicitor General"—he then pulled some papers from his pocket; when Captain Ferguson rose from his chair and begged of him in the most friendly terms, not to read or expose any "official Papers as he considered "the company a public or mixed one, and an improper place to exhibit public Papers, "which respected his public situation, and much more so to make any comments "on them." The sheriff then addressed himself to Mr. Jackson, saying, "this is "the way that I am always oppressed and cannot say a word in vindication of my- "self—I have offered several Gentlemen of the first rank, men with fifteen hundred "pounds sterling as my securities, but they have been rejected, this day I have given "in two more, Mr. Samuel Thompson and Mr. Addison, if these are rejected the "Country is ready to come forward and pay the money for me." Mr. Jackson cried out, "read what you please, say what you please, you are at my table, I know "that the Governor has used you as well as some others in this place like a "damned Rascal, but that his stay in this Country was of a short duration, that his "friend was recalled and that he (the Governor) would soon experience the same "fate, when things were properly stated at home." Mr. Cheniquy got enraged, asked Mr. Jackson "if he was not ashamed to call the Governor a damned Rascal? "Recollect," said he, "that you are speaking of the King's Representative." "Damn "the King and him too, what have we to expect from either of them? I have asked "for no favours since I have been here, nor do I intend to ask for any." "If you "make use of such language" said Mr. Cheniquy, "I will leave the room." "Leave "it and be damned" said Mr. Jackson, "I care as little for you as I do for the Governor "or his master." Mr. Cheniquy left the room. Mr. Sheriff then said "that he did not "doubt but that every word that had passed would be carried to the Garrison by the "next morning at 10 o'clock." Captain Ferguson observed, "and so they ought to "be, but I shall not do it, the administrations which I gave you in the early part of "the evening inspecting your public papers were from motives of friendship." "Damn "your friendship, I hold it in as much contempt, as that worthy man Mr. Thorpe, "the friend of the people, does the interest you are making against him," said Mr. Sheriff; Captain Ferguson replied: "I have made no interest for or against him." "You have," said Mr. Sheriff, "but notwithstanding all the interest, which your "Scotch faction have and can make, Mr. Thorpe will go into the House." "I know "of no Scotch faction," said Captain Ferguson, "nor am I of any Party, and your "abuse, Mr. Sheriff, should not pass with impunity." "Yes" said Mr. Jackson, "that damned Scotch faction, with the Governor at the head are striving to bear "down all before them, poor Mr. Wyatt has been most shamefully and most rascully "treated by the Governor, both him and Mr. Sheriff have been thrown out of the "Governor's house without assigning a cause to either, but the time is not far distant "when Mr. Wyatt shall have a Seat in the Executive Council, Mr. Thorpe Speaker "of the House and before twelve months I shall be returned for this place, to which "another Member is to be added, as also one to the London District—then huzza for "the man of the People, he must, and will stand; but the Governor, what is his "support, when the Country is against him, he must fall, he must come to his marrow- "bones." Mr. Sheriff then said: "I am determined with Mr. Jackson's leave to read "this letter, be the future consequences what they may; Mr. Simons as a stranger "will see how I am oppressed without a shadow of a cause. I have written to the "Solicitor requesting to know what kind of security he required and I would obtain "it, and this letter which I am going to read is an answer to it." I think the contents were nearly as follows: "Sir, This is to say that the two Gentlemen whose names "you give in for your securities are deemed insufficient; I therefore hope you will "lose no time in procuring others. I am not authorized to reject or accept of any "particular person; the Statutes of the Province are my authority." "Here you "see Gentlemen," said the Sheriff, "that the Solicitor General disavows any authority

from the Governor for thus opposing me, by rejecting the Gentlemen whose names I have given in." "Damn the Governor and the Government," said Mr. Jackson, push about the bottle." "Well," said Captain Ferguson, "I had it in contemplation to offer you my name, tho' I doubted its acceptance, but your imprudent conduct this evening forbids it." "Damn you and your friendship it is not to be depended upon, you dare not breathe without asking some of your damned faction" said Mr. Sheriff. Captain Ferguson immediately collared him and they rose from their chairs—we interfered and parted them, when Mr. Sheriff pulled off his coat and ran out of the door, the Captain followed and brought him back very peaceable. Mr. Sheriff sat down again and immediately began with Politics; I begged of him to keep his promise, which was to drop Politics, as it only tended to keep the company in commotion. "By God," said he, "the Country from repeated infringements upon "their rights and liberties, is now ripe for anything; that Mr. Wyatt had sent home "20 or 26 pages of manuscript, stating the disaffections of the People of the "Province and the cruelty and ill treatment, which he and his friends had experienced "from the Governor—when these facts are properly stated at home and when we "shall have made some other arrangements in the Government, we shall then carry "all before us by God."

TITUS G. SIMONS.

Sworn before me at York, the 2nd day of February 1807.

D. CAMERON, *J. P.*

JOSEPH CHENIQUY.

(p. 130.)

Joseph Cheniquy of the Town of York in the Province of Upper Canada Gentleman maketh oath and saith that on or about the twenty seventh day of November last past he this Deponent was at the house of Mr. John Mills Jackson in the Township of York, where the Sheriff of the Home District Joseph Willcocks Esquire was present attending a Jury to lay out a Road in the neighbourhood. That the said John Mills Jackson was at home and invited the Sheriff and Richard Ferguson Esquire (a Justice of the Peace attending in quality of Magistrate to swear the said Jury) to Dinner. That after dinner and before the cloth was removed, the Sheriff began the subject of Politicks when this Deponent requested he would desist—the Sheriff persisted and made use of the most abusive language against the Government, stating that the Government was tyrannical and oppressive and that he expected he should be turned out of his office because he supported the Rights of the People. The said John Mills Jackson supported the Sheriff in his assertions, and proceeded to such violent language against the Government that the Magistrate was constrained to interfere. That the said John Mills Jackson said the Government were a set of Rascals. He further stated that the Executive Council and General Hunter had plundered the Country. And this deponent further saith that the said Joseph Willcocks (Sheriff) at another time told this deponent that if he this deponent knew how bad the Government were he would not side with them.

JOSEPH CHENIQUY.

Sworn before me at York, in Upper Canada, this Twelfth day of February, one thousand eight hundred and seven.

JOHN SMALL,
J. P. and Clerk of the Crown, &c.

JOHN RICHARDSON.

(p. 132.)

John Richardson of the Town of York in the Province of Upper Canada Farmer maketh Oath and saith that he hath been acquainted with Joseph Willcocks

Esquire Sheriff of the Home District for upwards of Five years that he ever considered him as a loyal subject of the King until about fifteen months last past, since which period this Deponent observed a great alteration in the conduct of the said Sheriff. That since the said period he hath repeatedly heard the Sheriff decry the Government and the Constitution of Great Britain. The said Joseph Willcocks had frequently discoursed with this Deponent on the subject of Republican Principles even adverting to the *Glorious Success* of the French over Tyrants, and admiring their conduct in Ireland. He expressed a wish that the French had succeeded in Ireland or in England and hoped they would be successful wherever they went. The said Joseph Willcocks related a story of the Rebels in Ireland throwing a Brother of his over a Bridge remarking that the Rebels would not have served him so. And this Deponent further saith that upon every occasion when the conversation would admit of it the said Sheriff expressed his admiration of a Republican system of Government hoping that system would prevail thro' the world.

JOHN RICHARDSON.

Sworn before me at York, in Upper Canada, this fourteenth day of February, one thousand eight hundred and seven.

JOHN SMALL,
J.P. & Clerk of the Crown, &c.

CERTIFICATE OF RICHARDSON'S CHARACTER.

(*p.* 134.)

QUEBEC, 18th March 1807.

SIR,—Your Excellency having been pleased to request, I would transmit the character of John Richardson, who lived with me as Bailiff, and also state whether I consider him a man worthy to be credited on his oath. I have, Sir, in answer to these enquiries, the honour to inform you, that John Richardson was in my service as Bailiff near three years, during the whole of which time as far as came to my knowledge, he conducted himself very much to my satisfaction and is, I believe, a very honest man. I entrusted him with the active management of my Farm, for though it was not very distant from my Residence, I very seldom even saw it,. As to believing him on his Oath, I can assure your Excellency, I should have the fullest confidence in anything he stated on oath. I always placed the utmost reliance on his statements and found them correct (as far as I had any means of informing myself) when he was not bound down by an Oath. He was recommended to the protection of the late General Hunter by a very respectable Family in England, and I believe he has, since he has been in Canada, conducted himself with great propriety.

I have the honour to subscribe myself with great respect
Your Excellency's most obedient servant,
H. ALLCOCK.

No. 32.—LORD CASTLEREAGH TO LIEUT. GOVERNOR GORE.

(*Canadian Archives, Series Q., Vol.* 306, *p.* 206.)

(*Extract.*)

DOWNING STREET, 19th June 1807.

SIR,—

* * * * * *

The various particulars which you have stated of Mr. Justice Thorpe's having exceeded his duties as a Judge, by mixing in the political parties of the Province, and encouraging an opposition to the Administration, afforded such well grounded reasons for believing that his continuance in office would lead to the discredit and

service of His Majesty's Government, that I am commanded to signify to you His Majesty's pleasure that you suspend Mr. Thorpe from the office of Judge in Upper Canada and measures will be taken for appointing a successor.

It is by no means intended, nor, I am sure, is it your wish that this measure be extended beyond the limits of what is necessary for His Majesty's service, and you will therefore intimate to Mr. Thorpe that I hope I may be enabled to recommend him to some other professional situation under an assurance that he will confine him-self to the duties of his profession hereafter, and abstain from engaging in Provincial Party. I am further to signify His Majesty's approbation of your having suspended Mr. Wyatt from the office of Surveyor General of Lands, and shall communicate with the Lands Comrs. of the Treasury with regard to his conduct, but shall reserve an ultimate decision respecting him to another opportunity.

* * * * * *

No. 33.—LIEUT. GOVERNOR GORE TO LORD CASTLEREAGH.

(Canadian Archives, Series Q., Vol. 306, p. 212.)

YORK, UPPER CANADA
21st August, 1807.

MY LORD,—I have the honour to inform you, that I have considered it to be my Duty to omit the name of Mr. Justice Thorpe, in the Commission of Assize, lately Issued in the Province, and the Executive Council have unanimously concurred with me in this measure (No. 1).

That the progress of one of His Majesty's Justices of the Court of King's Bench, through the Provinces, in his routine of duty, should be dangerous to the peace of the Colony, may indeed appear strange but it is most certainly true with regard to Mr. Thorpe, who appears to consider his character as a judge but matter of a secondary consideration, and to be chiefly ambitious of the charactor of a Factious Demagogue.

In my Dispatch (No. 20) addressed to Mr. Windham, I informed that Minister of the dangerous tendency of Mr. Thorpe's conduct, and accompanied it by documents that would corroborate my statements, and I beg leave to call Your Lordship's attention to the papers which I have now the honour to transmit (No. 2, 3, 4, 5, 6, 7).

The address and answer (No. 6) are generally believed to be the production of Mr. Thorpe, no public meeting was ever held (No. 7). Sheppard and Montgomery, the supposed Chairman and Secretary, are ignorant Farmers, who can hardly write their names.

In order to give full scope to Mr. Thorpe's mischievous exertions, a Printing Press has been established by some of the most active Partisans, ostensibly conducted by one Willcocks, a turbulent Irishman, whom I found it necessary to displace from his office as Sheriff. For the real motives of this establishment, and the Reasons and views with which it is conducted, I beg leave to refer to Papers (No. 8, 9 and 10) and though anonymous communications should be attended to with the greatest caution, yet No. 8 being in this case corroborated by Mr. Powell's letter No. 10, and the information of a merchant of respectability in New York No. 9, combined with the conduct of the Persons alluded to, leaves little room to doubt of the correctness of the information.

Without knowing the full extent of Mr. Thorpe's improper conduct, and only judging from what has passed in view of the Public, People of Property and respectability express their astonishment, that he should be allowed to continue in his present situation; had I, on his first attempt to poison the minds of the lower order of the people, suspended him from his office, I conceive that I should have been fully justified, but having laid before His Majesty's Minister an account of his conduct, I anxiously await their determination.

I have the honour to be, My Lord,
With great respect, your most obedt servant
FRANCIS GORE
Lt. Governor

Enclosures.

No. 1.—Report of the Executive Council.

(*p.* 215.)

York, July 4th 1807.

May it please Your Excellency,—

We have attentively perused the papers which you have been pleased to communicate to us, relative to the conduct of Mr. Justice Thorpe, since his arrival in this Province.

Upon consideration of the whole of the matter therein contained, it is with deep regret we observe, that the conduct of that Gentleman has had an uniform tendency to degrade, embarrass and vilify His Majesty's servants and Government of this Colony.

The discontents with the measures of this Government, which have already arisen, from what has been by him held out to the lower classes of Individuals with whom he has had communication, particularly in that part of the country where he has presided as a Judge of Assize, are too obvious to be concealed, what future consequences may follow, it is impossible to foretell.

Under such circumstances, we do consider it expedient to omit the name of Mr. Justice Thorpe in the next Commission of Assize and Nisi Prius for the safety and tranquillity of this Province.

All which is respectfully submitted by

THOS. SCOTT
ALEX. GRANT
PETER RUSSELL
ÆNEAS SHAW
JOHN McGILL
} *Executive Councillors.*

No. 2.—Judge Thorpe to Joseph Willcocks.

(*p.* 217.)

Dear Sir,—I this day saw our friend Mr. Weekes deposited in the grave, this sudden and shocking catastrophe has shaken me much; I have written twice to Mr. Wyatt on the subject, and can no more for my heart is wrung.

I enclose my answer to the London District, and sent you three addresses and three answers before by the Toronto, you will put them in the York Paper if you think it serviceable and in what order and at what time you think best, but do not let any one see them except Mr. Wyatt; I am sorry this last address forced me to speak out, I have spoken truth, and at the same time avoided personal asperity, which I pray I never will be driven to, for I am too heavily laden with a conviction of their iniquity to let me strike lightly.

I have written to Mr. Wyatt to let me have Mr. Weekes's house, and beg you would employ some one to get me a few Cords of Wood. Poor Mr. Weekes's will has proved his regard for the People and the Province; may his virtues be imitated and his violence be avoided; his principles were admirable and his fate deplorable.

Yours truly with esteem and regard

ROBT. THORPE.

October 15th, 1806.

P.S. I enclose the representations from the London District, which you are not to publish, but keep for me, I only send them as the names of the Grand Jury are there, and I think you had better put them to the address, which passed unanimously but which might be doubted if you do not give the names.

Don't shew the representations to any one person. Much imputation is thrown against Mr. McKay, and it is wished Mr. Wyatt should direct every thing.

No. 3.—Judge Thorpe to Joseph Willcocks.

9.)

y Dear Sir,—The subject of our poor friend is so painful and I have wrote
ch on this miserable event before to you and Mr. Wyatt that I can no more,
t to assure you that he fought and expired bravely.
delight at your going to the Governor and speaking openly, but he will soon
rough these wretched sycophants, and despise their emptiness and vulgarity.
hope you will safely receive the four addresses and answers, I think they will
some good effect with him, and you will find he will do nothing until I go
which will be, if it please God, on the 25th of this month.
As to representing the Home District I have written fully to Mr. Wyatt, and to
and yourself I have left to determine for me, on certain terms, I will not go
g the people, nor keep open house for drinking, nor involve myself in expense,
f the people chuse to meet, put me in nomination almost unanimously and
nt Committees to compleat the Election without trouble or expense, I will give
me and labour for the public service and toil incessantly to make them as free
happy as any nation on the Earth, my sentiments are fully known, I never will
ge them, but to be in the House of Representatives cannot raise me or serve
mily, and the trouble, toil, anxiety and fatigue it must give me, will be immense,
efore surely, I ought to avoid it, and if I accept it to serve the public, it must
e by doing anything derogatory to the situation I hold, or incompatible with
eelings and principals, I see every annoyance to myself, yet altho' it may drive
om the Province in six months, I do think I could serve the Country, and could
he foundation of future good, but my sanguine wish is that the Governor will
with me, and in that case it is incalculable the advantage that may be obtained.
know the persons that ought to be consulted, bring them to Mr. Wyatt, and con-
what is best to be done, I will slave for the people, and if called into action I
ight to the stumps, but your friend is full, I hope, of high honour, proper pride,
cute feelings, therefore preserve these, tho' I may be about sacrificing every
ort and every situation.
I am anxious to send those tonight and can only assure you that I am,
Yours with the truest esteem
ROBT. THORPE.

ber 16th, 1806.

No. 4.—Chief Justice to Lieut. Governor.

22.)

York, July 9th, 1807.

Sir,—I put the Letter with which you honoured me yesterday into the Hands
r. Justice Thorpe. After a short pause, he said that he ought to obtain per-
on to return home and lay the matter before the King and Council.
I replied that you had no objection to that, and that you would give him leave
bsence; I then took out the memorandum which you gave me to that effect and
d. Mr. Thorpe then requested that I would say nothing for some days on the
ect, I said I would not but to you.
I have the honour to be, Sir,
Your Excellency's obedient humble servant
THOS. SCOTT.

No. 5.—Judge Thorpe to Chief Justice Scott.

23.)

Dear Sir,—I must sacrifice my gratification at the shrine of duty, the state of
Province forbids my leaving it, the Lieut. Governor never can know it from the
ple he has about him, whatever he does must be at his own peril; besides I have
med the King's Ministers that I am prepared to lay before the Council in
land against the Executive Government here, charges which could not be rebutted,

yet as I wish peace I will not hurry in to it, when a change of system cannot effected any other way I must do it, for a change must be effected or the Provin is lost.

As to the representations against me it is inanity I have done my duty strict and laboriously, and what I have done out of the exact line, I have done by dir tion; I could induce much more persecution and quietly scorn it. It was late wh your letter came and I dislike detaining your servant.

Yours truly
ROBT. THORPE.

July 8th 1807 }
halfpast seven }

No. 6.—Electors of York to Judge Thorpe.

(*p.* 224.)

At a meeting of the independent Electors for the County of York, Durham an Simcoe, held at the Town of York, July 24th 1807, the following address to th Honourable Judge Thorpe was unanimously agreed to.

Mr. Joseph Sheppard in the Chair.

Respected Sir,—With unfeigned sorrow we learn that orders have been giv to leave your name out of the Commission of Assize; by this the Eastern part the Province will be deprived of the instructive lessons flowing from your mouth while presiding on the seat of justice; those philanthropic instructions which rais you so high in the esteem of our Western Brethren, and from which we hav received the most essential Benefit. By this we fear you will consequently b deprived of its attendant salary. But for this temporary evil, there is a remedy provided, and as an earnest of our attachment to a person actuated by such di interested and virtuous principles, we humbly request you to accept a sum adequat to that which you lose by espousing our cause, and exerting your noblest powers i asserting the rights and defending the privileges which are allowed us by our mo amiable and truly beloved Sovereign.

As we his Majesty's loyal subjects, have not received any information for wha cause, or reason, such orders have been issued, we think it our duty further t assure you, that if any attempt should be made to take away or lessen your income we shall willingly contribute (and we are convinced that his Majesty's subject throughout the Province will coincide) to alleviate the sufferings of you our bene factor, who have since the moment you landed in our province, laboured with ind fatigable exertions to establish in this distant part of his Majesty's dominions th Constitution and Laws of our Mother Country.

We earnestly entreat that nothing may tempt you to leave us, as our dependenc is placed on your uprightness and perseverance. We beg leave to offer you th warmest assurance of our regard, and to implore you to guard against any insidio attacks, for in a private as well as a public situation your life is most valuable.

ALEXANDER MONTGOMERY
Secretary.

To which his Honour was pleased to return the following answer:

Gentlemen,—I must be devoid of feeling to be insensible to this kindness. thank you from my heart; but the Oath prescribed for a Judge precludes the pos bility of my accepting your liberal present. I was informed by the Chief Just that the Lieutenant Governor had directed my name to be omitted in the Commis of Assize. By what legitimate authority such an unprecedented power could exercised, will be for his Majesty's Minister to determine. To me it is of little c sequence, but through me, the rights of the Justices of the Court of King's Ben are affected. When first honoured with a seat on that Bench, the Judges vol tarily became sponsors for my acquirements. Since I attained that appointm (now about five years) a decision of mine never has been reversed, nor have I e

esided in any Court without receiving the warmest declaration of public satis-ction. My conduct has been approved of by the Secretary of State, and my labours warded by my Sovereign. These (with the flattering expectation that I possess e confidence of the Province) are the proud circumstances on which I rest, the gh ground on which I am elevated beyond the reach of detraction.

I will continue my exertions until you obtain every immunity our munificent onarch bestowed. I pledge myself for their rapid approach, anticipate the rival. Let us constantly unite hand and heart, with a firm determination to stand fall with Great Britain, it is wisdom, it is virtue, it is security and glory.

I am, Gentlemen,
Your very truly obliged and
Obedient humble servant

PRINGFIELD, August 1st 1807. ROBERT THORPE.

No. 7.—Freeholders &c. of York.

(p. 328.)

We the undersigned Freeholders, Electors and Inhabitants of the Town of York nd its Vicinity, weighing the Violence and Indignity offered to Truth and the ublic, and our individual feelings, by the publication at Niagara in a Paper calling self the Upper Canada Guardian of a meeting said to have been held in the Town f York on the 24th of July last, and of an address to the Honble. Mr. Justice Thorpe id to have been formed at the said Meeting by the Independent Electors of the ounties of York, Durham and Simcoe, do solemnly declare that we do not know nything of such meeting, That we did not hear of the intention, or taking place of ny such meeting, and that after a very diligent enquiry, we do not believe such a eeting was ever contemplated, or did take place.

Given under our hands
York, 15th August 1807.

No. 8.—Anonymous to Hon. John McGill.

(The foot notes are by Lt. Governor Gore.)

New York June 17, 1807.

(p. 229.)

Sir,—Although the writer of the following communication has taken the liberty o address it to you, and for peculiar reasons deems it expedient that his name hould not *at this time* be known, yet it is hoped that circumstance will not so far perate as to render it unacceptable or unefficacious. Suffice it to say, that he is no tranger to the measures, or to the Policy which dictates those measures of His Majesty's Government; nor is he ignorant of the true Interests of the People of the Province of Upper Canada.

The perturbed state of the public mind in the Province has been produced by auses as well understood by His Excellency the Lieutenant Governor, as by your-elf, The continuation of which state of perturbation is promoted by a man high in office, who forgetting the Duties imposed on him from the very nature of that Office, has evinced a total dereliction of every principle of honour and virtue!

The motives which actuate the writer, it is hoped may not be misunderstood; They originate from a desire to promote the well directed views of his Majesty's Government and to preserve to the People of the Province of Upper Canada, Those rights, privileges and advantages which they really do enjoy but which they are blindly about to part with.

Accident has lately led me to become acquainted with the views of a certain character*, who not long since held an official station in the Province, and *his* views being those of the first mentioned character, it becomes a matter of moment, that they should be displayed. They are nothing less than an attempt to *revolutionize* the Province.

*Joseph Willcocks a United Irishman and lately a Sheriff.

The Engine to be made use of to carry this object into effect is a free Press as is called; a connexion has been form'd in this City between the Editor of the *Guardian* and several Printers among whom, the Editor of the *Citizen, and Republic Watch Tower* whose name is Cheetham is one. The character of this man is notorio as inimical to the British Government, his energies will be employ'd in support this paper called the *Guardian*. The alliance made with Editors of an oppos political character, is intended as a mantle, to cover the real design. An interchan of sentiments has taken place between the Editor of the *Guardian* and Emmett a the Hibernian Society, alias the Society of United Irishmen, and much strength expected to be derived from the connection.

The People of the Province have been represented to be on the verge of Reb lion,* their Grievances being too great any longer to be borne, all arising from t Tyranny of His Majesty's Executive Government. That they, The People, would, e long, seize upon His Excellency's Person and the other obnoxious Officers of t Crown, and ship them off in Irons—if not worse. That this was the plan agreed &c. The violence of such language naturally excites a suspicion of the strength execute what might be wished, and consequently not deserving of notice. Still may be important that the extent of the views of The Party should be known. The can be but little doubt, that Disorder and Confusion are the first objects in the pu suit, for the qualification of personal ambition or some other worse passion.

The prime actor in this scene, it is to be presumed, receives his Instructio from a source,† as powerful almost, as it is inimical to the Interests of Great Britain The writer is induc'd to communicate from the attachment he feels to His Majesty Government; to His Excellency, the Lieutenant Governor, as His Majesty's Repre sentative, and to the Interests and Welfare of the People of the Province at larg The relation in which you stand to the Government‡ will plead my excuse for dire ing this to you, and through you to His Excellency the Lieutenant Governor. Shou what has been written prove in any degree useful to His Excellency individually, o to the Government in general, then will be gratified the wishes of His Excellency

and your most obedient and most humble servant,

FIDELITAS.

No. 9.—Anonymous.

(*p.* 233.)

A certain Person dismiss'd some time since from Public Office in the Upper Pr vince, pass'd a few weeks in this City in a Society famed for its turbulence; bo foreigners and natives residing in this City and in the Western part of the Stat contemplate a *Reform* in the Government of the Upper Province. The Perso alluded to returned a few weeks ago with Printing Press and Press Men; a commi tee of correspondence is formed, which is to prepare the *minds of the People in th State* for some great *change*. The Information recommends the most cautious silen to be observed, but a strict attention to be paid to the actions of some inflammato characters. More on this subject is promised.

New York.

No. 10.—John Powell to Lieut. Governor Gore.

(*p.* 234.)

Sir,—I have the honour of sending for your Excellency's information, the fo lowing extract of a letter I lately received from my Brother residing in the Unit States. "I understand that a man named Willcocks has been in this neighbourhoo with a prospectus of a Gazette to be published by him at Niagara, which he open declares to be under the protection and controul of Judge T———, professedly for th laudable purpose of revolutionizing the Province; he told a friend of mine that h expected to be stopped before six months."

I have the honour to be, with great respect,

Your Excellency's most obedient servant

Niagara, August 13th, 1807. JNO. POWELL.

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* Mr. Wyatt's statement handed about at New York.

† Supposed to be Monsieur Genet, a Frenchman employed by the Cabinet of St. Cloud.

‡ As Executive Councillor.

No. 34.—LIEUT. GOVERNOR GORE TO LORD CASTLEREAGH.

(*Canadian Archives, Series Q., Vol.* 310, *p.* 15.)

YORK, UPPER CANADA 14th November, 1807.

MY LORD,—

* * * * *

In obedience to your Lordship's commands, contained in your Dispatch No. 2, I directed a suspension from the office of one of the Judges of the Court of King's Bench in Upper Canada to be delivered to Mr. Thorpe, together with an extract from the Dispatch of such part as your Lordship was pleased to desire might be communicated to that gentleman.

I cannot help entertaining the hope that the measure which has thus been adopted, however painful, will have the most salutary influence in preventing the further progress of that spirit of equality and want of subordination, which too much prevails amongst the Lower Ranks of this province.

Before the Official Notification for suspending Mr. Thorpe arrived, he was aware of his fate; indeed Mr. Justice Powell, with humanity and with my perfect approbation, communicated to Mr. Thorpe what he had heard when in England respecting him.

I should not have troubled your Lordship with the result of that communication (A), were it not that Mr. Thorpe positively asserted, that what he had done was by direction of the Secretary of State.

With regard to the changes which Mr. Thorpe mentions respecting the members of the Executive Government, they are ready, anxious, and I believe able, to meet them: I say this with little hesitation, as such charges must necessarily refer to transactions which took place previous to my arrival in this Province, and which I cannot personally be interested in.

With respect to Mr. Thorpe's pecuniary embarrassments, it was signified to him by my desire, that the means should be furnished him to enable him to return to England, for which purpose I had directed the Receiver General to advance him Two Hundred pounds on his Bill to be drawn on the Colonial Agent, and it was further signified that he might obtain my leave of absence from the Province before the order for suspension should be received; these offers were refused. Mr. Thorpe did leave the Province before the suspension could be deliver'd to him, but it was altogether without my knowledge or leave, not however until he had published an address in the newspaper (B) mentioned in the communication with Mr. Powell.

The last observation with which I shall trouble your Lordship is this, that if Mr. Thorpe is permitted to state any particulars relative to the Government of this Province, he will probably call in a Mr. Jackson, now I believe in England, to support his charges. I have only to refer your Lordship respecting this person to my Dispatch (No. 16) and to the affidavits transmitted (No. 22) where the conduct and character of that person is mentioned, and further that I believe the cause of the hostility of Mr. Jackson to the Executive Government arose from his being refused a quantity of Land, on account of his improper conduct.

I have the honour to be, My Lord, with great respect,
Your most obedient and most humble servant
FRANCIS GORE
Lt. Governor.

(A.)

W. DUMMER POWELL TO LIEUT. GOVERNOR GORE.

(p. 19.)

YORK, 26th October, 1807.

SIR,—Your Excellency having intimated a wish that I would avail myself of any good opportunity to communicate to Mr. Thorpe the Information I had received

from Mr. Cooke before I left England, I took advantage of the receipt of the letter from him to expose myself to an interview, which otherwise from various considerations I should have avoided. My card brought him to my chambers, and the substance of what passed at that Interview I have the honour to submit for Your Excellency's Information in the paper enclosed herewith.

I have the honour to be most respectfully
Your Excellency's Obedient servant
WM. DUMMER POWELL.

Substance of what passed at an Interview with Mr. Thorpe on Wednesday, 22nd October.

After commonplace inquiries and answers on the subject of my son, I told Mr. Thorpe that before I left England, I had learned from Mr. Bond that he was superseded, that a few days before my departure, Mr. Cooke under Secretary of State had communicated to me part of his (Mr. Thorpe's) letter to Sir George Shee, and his (Mr. Cooke's) private letter in answer, communicating his Majesty's pleasure that he should be removed from his situation in this Province. That having observed in Mr. T.'s letter to the Secretary a hint that his embarrassments might prevent him from leaving the Province, I thought it might be serviceable to him to be acquainted with the event of his correspondence with the Secretary of State's Office, before the arrival of the Attorney General with the Official Dispatches should hint about his dismissal and expose his person either in the Lower Province or the U. S. in any attempt to get to England. I added that Mr. Cooke had told him that Ld. Castlereagh would notwithstanding endeavour to do something for him, if Mr. T. put it in his power by proper conduct. Mr. T. received this Information without surprize, as if it was not new to him, but added that Mr. Wyatt had assured him that the consideration of the business was postponed. That he could not be removed without a hearing before the Privy Council. I then mentioned that Mr. Cooke's letter would inform him that the measure had been adopted on his own communication, the violence and indiscretion of which left no alternative but to remove him or the whole Executive Government of the Province. Mr. T. then said it was artfully done by Ld. Castlereagh to take the measure upon himself and save Mr. Gore the odium of a suspension, and that he was not sorry for it in one respect as it might screen him and the wretches about him from the indignation of the people. He then asked me if I knew what was meant by proper conduct for him, that he had done nothing but by direction from the Secretary of State and if it was expected that he should vary from his charges against the Council here, it was in vain what then could he do? I answered that the purport of the expression appeared to me a caution to receive his dismissal with discretion and rely upon his friends in Europe to do something for him, and I thought if he would in confidence ask the Lieut. Governor for leave of absence before the measure became public, he would obtain it and the means of conveying himself to Europe. He said *that* he would never do. I observed that I was sorry to see so much irritation occasioned by the newspaper publications. He answered that the people were driven to the measure of a country paper; that he himself had twice sent communications to the *Gazette*, which the printer rejected, as he said, by order from Mr. Halton the Lieutenant Governor's Secretary; that such circumstances and the gross abuse by the Government press of certain Individuals, specifying Mr. Willcocks had induced the Establishment of another. Mr. T. repeatedly asked me what he could do to meet the expectation of the Minister; that if he was dismissed for obeying his orders it was highly unjust and that as he had advanced nothing but Truth, he should never depart from it; that he found from Mr. Wyatt that the ground assigned for suspending him and the only one dwelt upon here (Disobedience of Orders) was not even made an article of complaint to the Secretary of State and repeated that he could not be dismissed unheard. On leaving me he said that he should see me again in a manner which led me to suppose he would reconsider the advice to ask leave of absence.

(B.)

ADDRESS BY JUDGE THORPE TO THE FREEHOLDERS OF YORK, &C.

p. 24.)

To the Freeholders of the East Riding of the County of York and of the Counties of Durham and Simcoe.

GENTLEMEN,—When you called on me to represent you in Parliament, I answered that if you placed me in the House of Assembly, I would discharge my duty faithfully; but I am now hurried to England, from the most insidious misrepresentation of my conduct having induced the Secretary of State to signify his Majesty's pleasure to suspend me from my judicial situation in this Province. However the noble Lord at the head of the Colonial Department, is actuated by the highest sentiments of honour, and the strictest principles of justice; therefore truth, like the divine rod of Aaron, will quickly overcome the machinations of the Magicians.

Though wretched, even to agony, whilst under the slightest imputation, yet your welfare, your happiness and the prosperity of the Province, shall engage my attention and animate my exertions. The objects dearest to me in life, I leave behind—that which is dearer than Life (my Honour) I hasten to defend; but if it pleases the Almighty to favour and protect me, my return shall be as rapid as my departure was unexpected.

I am, Gentlemen,
Your obliged, obedient and very humble servant
ROBERT THORPE.

NIAGARA NOV. 2, 1807.

No. 35.—JUDGE THORPE TO SIR GEORGE SHEE.

(*Canadian Archives, Series Q., Vol.* 310, *p.* 34.)

DEAR SIR GEORGE,—You would pity from your heart the greatest enemy you had, could you but see him in my situation, surrounded by the vilest miscreants on earth, who have gorged themselves on the plunder of every Department, and squeezed every Dollar out of the wretched Inhabitants, who have long stunted the growth of the province and have now driven it to the verge of ruin; they have put up and put down whom they pleased, & now their whole force is set against me, but I will do my duty to England, to the Colony, to your patronage & to the recommendation of that departed friend that sent me to your care, tho' I sacrifice my life, my wife & my helpless children. The miscreants contend for monopolizing one hundred thousand a year from England, which they hope to enjoy, until they lose the Province. I contend for saving that sum to England, for preserving the Province, & making it valuable to Gt. Britain, yet I wonder at my own perseverance, for I have continued representing in vain. I stated how necessary it was to have a sensible steady gentleman at the head of this Government, and there comes out a violent, raspy, selfsufficient Major of Horse, with all the ideas of Military subordination, and fully persuaded he can force down the people and reign absolute. The shopkeepers that have surrounded him from Halifax to Quebec, to Montreal, to Kington, to York, to Niagara, all flatter and infuse this, it is the food of vanity, and it is the support of their own power and rapacity, he does not reflect on the distance from England, and the contiguity to the States of America, that we have no oppressed country or oppressed farmers, but that every man lives on his own estate, & is independent tho' without a Dollar, that they are a hardy experienced set of men, that there is no passage to this country for troops, but up a River narrow, shallow & rapid. I also made every representation against Mr. Scott's being chief Justice yet, because he was the Attorney to the merchants in Lower Canada, they made every exertion and by their friend & protector Sir W. Grant, the Master of the Rolls, Ld. Castlereagh is prevailed on to place him at the head

of the King's Bench and now the only step wanted is to give him the Chancery, as then the property of half the inhabitants will be sacrificed to the Merchants. stated that Mr. McGill had been the chief cause of discontent amongst every ord of persons from his conduct as Inspector General; yet this is the man who direc everything, and follows up the old system with oppressive violence, and these ma are perfectly inefficient for business or exertion; one was lately a preacher, the othe a carpenter, they are supported and support the Storekeeper Aristocracy, that is sufficient, and, could I submit to say, plunder, prosper and may the province perish I would be esteemed a little god. I have said all that I could say, and shall only trouble you with one letter more, which I will send after the House of Assembly is prorogued. Mr. Wyatt the Surveyor General is going home, he can give you a full and true statement of everything, he is a most honourable and steady Gentleman, the Governor was mean enough to set a trap for him in his own office, then he pro ceeded to bully him, and concluded by asking his pardon. I must now proceed to give you some more hints of his character and conduct, the Election of which I informed you in my last was delayed even longer than the Law permitted, the Lt. Governor & Storekeepers with all their force against the people, every species of undue influence, bribery, coercion and oppression, was used by them, the Lt. Governo himself demeaned by trying to seduce both high & low. I never asked a vote, I never left my house, they brought me to the hustings, the Election lasted a week, I was returned by an amazing majority (altho' I requested the people from a distance & the aged might be prevented from coming) the people returned in triumph execrating the Governor, in truth there never was such unconstitutional and such illegal proceedings experienced before. In my last letter I enclosed you an addres to me from the London District, and my answer which that extorted, the Lt. Gov ernor thought he would induce the Grand Jury to recant and he had them calle together for the purpose and I now send you their reply to him, which enraged him so much that he sent them word if they did not recant they should lose their half pa (for they are mostly old officers) but this did not avail for they said they would sooner go to labour and hew in the forest; this will let you a little into his conduct & also (with the Home District address which I enclose) into some of the grievance of the people. But even the Agricultural Society, which I have laboured to promot as the means of promoting the culture of Hemp and doing an infinity of good h is at this moment privately trying to overturn. The Liberty of the press he ha destroyed, nothing can be printed without his Secretary's leave, but everythin violent to enrage the people is printed, as you will see by enclosed address from the candidate Mr. Gough (which the Secretary sent) and the reply from Electors whic he refused to be printed, but this is little to what is done, even power dares approach the King's Bench; but I must refer you to Mr. Wyatt & not trespass long on your time. This Province looks to Mr. Windham for redress, and if he does no do it quickly all is lost; I only beg and pray to be placed where I can be useful.

I have the honour to be
Your ever obliged
ROBT. THORPE.

P.S. I enclose a letter I have just received from Capt. Brant, which will shew little of the Indian attachment to the Government. The Indian Department enrich some Individuals and to dissatisfy the Nation.

I have this moment heard there are emissaries out to rise the people, that som advantage may be taken of it for misrepresentation, and I believe it, because I kno them to be only capable of vicious cunning.

Enclosures.

No. 1.—Grand Jury, London District to Lieut. Governor Gore.

(*p.* 40.)

To His Excellency Francis Gore Esq. Lieut. Governor of the Province of Upp Canada &c. &c. &c.

We the Grand Jury of the District of London sworn at the late assizes holde in this District, in compliance with your Excellency's request in a letter to our for

man, have assembled and beg leave to state the following acts, being the particular ones alluded to in that part of our address to Mr. Justice Thorpe, which your Excellency has been pleased to notice.

The first and most principal thing we had in view, and to which we request to call your Excellency's attention, is the unfortunate situation of these American Loyalists who were prevented from coming to this Province before the year 1798: The precluding them from enjoying the benefit of his Majesty's bounty and the rewards he was graciously pleased to promise them for their Loyalty, sufferings and losses, and which we humbly conceive, was ever his intention to bestow, has occasioned many complaints; and we think they are not without some cause, more especially as the Loyalists were never notified that they must exhibit their claims for Land within any limited time, and as it is conceived and is also the prevailing opinion that this restriction was affected by the Executive Government of this Province, without the immediate direction of His Majesty, and even should the sanction of his Majesty have been obtained for this purpose, we are led to believe, that it was done by a representation made to him, in which the situation of this country and the Loyalists was not truly stated to him. The disagreeable situation in which this restriction has thrown a number of those unfortunate yet deserving class of subjects, your Excellency will easily conceive. And when we inform you that many of them on their arrival here with the most sanguine expectations of meeting the fulfilment of his Majesty's promise, were not able to pay the fees exacted, and consequently were prevented from getting any Land on any terms, were driven to the necessity of labouring upon other people's Land and of settling upon those Government reserves for the possession of which they have no security for a longer time than twenty-one years. Your Excellency, we trust, will conceive with us that the complaint is not without grounds.

The first thing which we beg leave to point out to your Excellency, as a subject which occasioned many complaints and the injustice of which we also conceive, is great, in the mode heretofore practised in suspending certain persons from the U.E. List, whose names had been previously inserted thereon; this in many instances has been done, without giving the person concerned an opportunity of proving that he was entitled to be continued on, upon mere *ex parte* evidence, or without any evidence at all that the name of the person so suspended had been improperly inserted. This has often occasioned much serious inconvenience and expence to those unfortunate individuals.

Another thing we wish to mention to your Excellency, which has been a cause of complaint is, that many Loyalists and others on applications for Land at an early period, were granted Minutes of Council for a certain quantity under the regulations of six pence per acre, that they were not informed there was any order existing (if any did exist) which compelled them to locate within any limited time, or their Minutes of Council were void, and that they conceived the faith of Government was pledged to them for so much land as they were then allowed to locate on such terms as were therein specified, but from inability to locate immediately for the want of pecuniary means, they went home satisfied that when they should by their industry be enabled to obtain what money was necessary to pay the six pence per acre, they would be allowed to locate the quantity formerly granted; They were told on application for that purpose that they could not act upon the Minutes of Council they then had, and that they must petition Council again and should any land then be granted, they must pay instead of six pence eight pence per acre and this money to be paid within three or four days and before the applicant knew where he could locate his Land. There has been also many applications for leave to locate Land in certain Townships where the applicant resided or wished to settle, but were refused under the pretence that there was no land vacant in those townships, and the applicant obliged to take his land in some distant part of the province, where perhaps it would not be worth the fees to be paid, afterwards the same lots that had been particularly applied for, have been given to some more favoured applicant, and also much other Land in those Townships has been granted to persons who never had seen it, and probably never will, by which means (independent of the

partiality) large quantities of Land in this province lie waste, which otherwise would be in a state of cultivation and affording some industrious man subsistence for his family.

The appropriations of certain moneys voted by the Provincial Parliament for the purpose of laying out and improving high ways and roads have afforded another subject of complaint; it is conceived that this money was intended for the community at large and for that purpose it was placed into the hands of the Executive Government, by which it was allowed to be laid out rather for the conveniency and benefit of an individual than for the general good.

We have thus above stated to your Excellency the most prominent Acts that occur to us, and to which we alluded in our address to Mr. Justice Thorpe, feeling and knowing as we do the operation of these acts, induced us to say, what in reality we meant, that we hoped under your Excellency's administration a change of such measures would take place, and that Justice would extend its influence pure and unmixed. Convinced that it was ever the intention of our beloved Sovereign that equal Justice should extend, and that our excellent Constitution should be impartially administered to his subjects of every description, it is with real regret that we find ourselves under the necessity of observing that we are apprehensive those gracious intentions have not in every instance in this Province been strictly adhered to; and we will confidently add, that while one Loyalist is made a partaker of his Majesty's bounty and another precluded from enjoying the least reward for his long and faithful services; another after having been considered a proper subject for his Majesty's promises to extend to, is suddenly and without his knowledge deprived of those benefits which he expected were insured to him; And others after having been promised land on certain terms, without ever being informed there was any other condition annexed to it, are told that the promise had become void, and while one man is refused Land in certain situations under the pretence of there being none vacant, another is allowed whose claims are intrinsically no better to take up those very lands; and that while our public moneys are appropriated to accommodate individuals without regard to the public good, we fear that complaints will continue to exist, and that few can say, "Justice extends its influence pure and unmixed." Deeply impressed ourselves with the most lively sentiments of respect to our Sovereign and sincere attachment to our most excellent Constitution, we feel anxious to see such measures pursued as will tend to conciliate the regard of his Majesty's subjects and strengthen their attachment to the Government.

We beg leave to return our most sincere thanks to Your Excellency for this condescending mark of goodness in thus inviting us to lay before you our grievances with the assurance that they would claim your attention. And we also beg leave to assure Your Excellency that is with real reluctance we trouble you upon subjects of this nature, and that we shall ever avoid doing it, excepting when we think we have complaints that are serious and well grounded.

It is with pleasure we observe that the situation of the Loyalists in this Province has claimed your early attention, and we earnestly entreat Your Excellency's further consideration of that deserving class of subjects who so well merit your humanity and attention.

We are with sentiments of respect

Your Excellency's most obedient Humble Servants.

CHARLOTTEVILLE
1870.

No. 2.—JOSEPH BRANT TO JUDGE THORPE.

(*p.* 48.) BEACH, Jan. 24, 1807.

MY DEAR SIR,—I regretted when last at York, the existing circumstance deprived me of the pleasure of seeing you. Since last summer some feeble hope we entertained of having our business concluded here to our satisfaction, as also the want of pecuniary means have caused us to delay making another attempt I

Europe, which we are fully convinced to be the only place from which we can entertain any reason to expect redress. We are now therefore making preparations for the Journey & hope to be able to set off the latter end of next month, it will give us peculiar satisfaction if you may please to favour us with the letters to your friends you were so good as to promise acquainting them with as much as you may think proper, of the treatment you have seen us receive and the apparent impossibility of our receiving satisfaction in this question.

We will either both go or Mr. Norton (Teyoninhikarawen) singly as circumstances may admit, as during the war I ever confided in the good faith and honour of His Majesty's Government I yet feel assured that they will undoubtedly confirm to us what we have received from his Majesty's representative Sir Frederick Haldimand who had been witness to our fidelity as a due reward for our Loyalty and compensation for our Losses.

Sir, I have the honour to be,
Your most obedt. humb. Servt.
JOS. BRANT.

Endorsed. Address to the Lt. Governor from the Home District on his arrival and an answer to the Lt. Governor from the London District on his assembling the Grand Jury again for the purpose of making them recant what they had said in their address to Mr. Thorpe. Also a private letter from Capt. Brant to Mr. Thorpe, these will show some of the grievances the people complain of & the state of the Indians, who are dissatisfied while England expends thousands for them, but the expenditure goes into the pockets of a few individuals.

No. 3.—Judge Thorpe to Lieut. Governor Gore.

(p. 83.)

Sir,—Since I had the honour of conversing with Your Excellency last, I have anxiously considered if by any mode I could with propriety decline being a member of the House of Assembly, & whether I look to England or the Colonies, I can find no one authority to cover a manifest dereliction of principle. Judges are considered of the utmost consequence in the Legislature for which reason many are created Peers & all Judges have sat in the Commons except such as are constitutionally to attend the Lords to assist when a Court of Justice. I have known a Chancellor of the Exchequer sit in his Court and conduct all the business of finance, the Master of the Rolls, the Judges of the Admiralty & Ecclesiastical Courts, the Chief Justices of Ely, Chester & the Welsh Judges &c. &c. the Judges in Canada and in the other Colonies have constantly sat in the House of Assembly. I do not feel that it can lower my respectability, or familiarize me more to the people. I do not intend to solicit a vote. I never have been among the people. I know very few, not even those who have been most forward in presenting me with addresses and I am satisfied I shall not know one more or less by his voting for or against me. I cannot think myself more a servant of the people or less a servant of the Crown, because I am in the House of Assembly, nor am I more firmly bound to their service from being in the Commons, than I am sworn to their service in being a Judge. I am sure nothing under heaven could induce me to sit a day, if I was required to support any act that might tend to diminish the prerogative of the Crown, or contract the privileges of the people, no one will receive less benefit from such a situation than myself, it must be attended with labour, anxiety & a diminution of my domestic felicity, which is my greatest happiness on Earth, nor will any one benefit more from my holding such a situation than Your Excellency, because I am satisfied you are desirous to fulfil the promise & put in force the beneficient intentions of our Beloved Sovereign to his faithful people of the Province, because I confide in your good intentions to uphold & enforce that constitution so liberally bestowed on this Province, by the British Parliament & because I am convinced it is your sincere determination to endeavour to make this province valuable to Gt. Britain.

Why then should I unnecessarily stain my character by retracting? & relinquish a situation in which I may render service to my King, my Country, your Government, the Province and the People?

The first moment the idea of my being returned was suggested, I hinted it to Mr. Walton from Niagara, but no allusion to an objection was thought of in his answer, I had not landed there an hour, when I was waited on by a deputation from the freeholders (there convened) to request I would be their Representative. I had no time for reflection & replied immediately, that if it was their wish to place me in the House of Assembly, I would discharge my duty faithfully. The German settlement and others have sent the same request, and I have given the same answer. What then would be my situation if I were to recant? That influence I have laboured to obtain for the purpose of doing good would be turned into disgust, the Bench would be thrown into contempt and the Juries would be paramount.

I have endeavoured to live thus long with the preservation of my honour to the highest pinnacle, & it must continue to the last moment of my life; it has diminished my future & lowered my situation, but my children shall be taught to estimate private honour & public virtue as inestimable; it may be all left for me to bequeath or for them to inherit.

I have the honour to be, with the highest respect.

Your Excellency's obedient & very humble servant,

ROBT. THORPE.

No. 4.—Address, Electors of York, Durham and Simcoe.

(*p.* 87.)

To all whom it may concern.

Whereas a goodly number of Independent Electors for the Counties of York, Durham and Simcoe were convened in the town of York, on the 24th July, 1807, for the grateful purpose of taking into consideration the sufferings of the Honourable Mr. Justice Thorpe, whose situation was represented by many (not his friends) to be very deplorable, and after mature deliberation, thinking it their duty, and feeling perfectly willing to make restitution to the Hon. Judge for the loss he had sustained by yielding to their entreaties and repeated solicitations for him to represent them in the Parliament held in His Majesty's province of Upper Canada; and having thought better to make known the result of the meeting in a unanimous address to the Honourable Judge, wherein they expressed the deepest sorrow for the treatment he had received, the sanguine expectations they cherished in his uprightness and perseverance, and finally solicited him to accept of them what he would have received from Government, had he not condescended to represent them; And whereas, since the said meeting was held for the above benevolent purpose, a number of persons, some of whom are electors and some not, have taken upon them to say and publish, that they do not believe after strict enquiry, that such a meeting was ever held; and if it were, then it was a private illegal one. Therefore we the subscribers, being free and independent electors of the said Counties, who were present, do positively aver, that there was such meeting at the time and for the purpose as above stated, and that the address to the Hon. Mr. Justice Thorpe did there pass in the form and manner published; and we who were not presently do firmly believe that a meeting at the time and for the purpose above mentioned was held by his Majesty's Loyal, free and independent Electors; and being pleased and well satisfied with the address which passed at said meeting, do give our hearty concurrence, in confirmation of which we have hereunto set our names.

May God ever bless his Majesty King George the Third, and prosper his loyal subjects in all their lawful undertakings.

Joseph Shepard	Daniel Deharr	Geo. Quanz
Richd. Lippincott	Samuel Bentley	John Ney
Alexander Montgomery	John Kennedy	J. H. Barmeister
Hiram Harrison	James Kennedy	C. F. Cornelius
Michael Cotts	Sam. Bently Jun.	Mart Rumohr
Adam Brinish	Elijah Bently	John Stohmm

Wait	James Oborns	John Stoper
hilson	Josiah Hemingway	Peter Stoper
Cody	John Vicheller	Paul Kiessing
ns	James Osborne	Joachim Pingle Sen.
n Wheeler	John Roch Junr.	Joachim Pingle Jun.
ughes	J. P. Radelmiller	John Baye
Barloere	John Krankheide	Jacob Evers
h Britton	Henrich Somerfeld	Jacob Keffer
Hastings	Johannes Koch	Johannes Oster
trick	J. G. Wiehmr	Johannes Smith
rt	J. W. Nanhults	Peter Graham
raser	N. H. Hubner	Peter Musselman
Patterson	Abraham Orth	Johannes Fisher
Brigley	Jacob Burgman	Johannes Schneider
Hawley	Christian Steckley	Valentine Fisher
Hover	Peter Musselman	Conrade Grom
Hudson	Christian Heyse	Johannes Sprischer
Jones	Chasper Sharg	Cornelius Van Nostrand
W. Post	Peter Brillinger	John Wilson
Knowles	Philip Lichte	William L. Wilson
Ray	Wm. Pip	James Van Nostrand
Davis	Nicholas Steffens	Henry Clunes
nith	J. Nicholas Steffens	Henry Lamers
tevens	J. H. Bauer	George Cutier
tevens	John Heinke	Solomon Klauch
n Stevens	J. Philip Eckardt	Timothy Wheeler
evens	J. Carl Ritter	Martin Holder
cGaben	Moses J. Hemingway	Andrew Wilson
Lockwood	Amos Smyth	Daniel Surles
hrasher	Henry Leopard	James Finch
n Wilson	John Tyrer	Richard Lawrence
Morrison	John Martin	Anty. Hollingshead Jun.
rk	Matthias Browne	Ezekiel Benson
rk Jun.	Simon Malery	William Johnston
Bark	James Palmer	Anty. Hollingshead Senr.
r Hartwell	John Jolin	Ebenezer Cook
ood	J. Lyndemen	Henry Bartholomew
Walton	John Dubery	George Limon
Willet	Frederick DeHoen	Gideon Orton
el Haskill	Ullrich Borkholder	G. W. Patterson
Haskill	Nicholas Coper	George Tisler
nes	Nicholas Miller	William Macklen
Caldwell	Jesse Bennet	Osborne Cox
t Harris	John Riemann	Cornelius Anderson
t Harris Jun	John Shank	J. Macklen
Gifford	John Trightner	George Taylor Denison
Crippen	Peter Frank	Thomas Mercer
Crippen	Solomon Stump	Samuel Mercer
llender	Henry Kersteler	Jonathan Hale
der W. Ross	Adam Rubert	Walter Moody
del	Christian Christner	William Moody
ll Persens	Leonard Bretz	W. Moody
mades	Johannes Lein	Jacob Perkman
Smades	Abraham Stump	George Bond
Clarke Jun.	Michael Borkholder	Peter Whitney
n Bedford	John Enticott	Simon Morton
Marsh	John Van Zantee	Richard Powers
umont	Calven Emes	Christopher Teal
Hoover	Colin Drummond	Timothy Millar

Martin Kurtz
Samuel Pfeiffer
Elijah Lang
Daniel Hoover
Christian Weitman
Joseph Heyse
Henry Schenk
Michael Schenk
John Clendennan
Peter Anderson
John Stickle
Elijah Millerd
Weston Stephens
Ezra Pope
John Slesser
Peter Miller
Joseph Plumb
Isaiah Booth
Reuben Patrick
Jacob Stover
Henry Lichty
Jessy Teats
Norman Milliken
Peter Helier
Peter Brooks
David Wiemer
John Clendillon Jun.
Uzel Wilson
James Lundy
James Pettibone
Azariah Lundy
John Hamilton
Peter Deagier
James Deagier
John Miller
Mathew Mills
William Watson
Jacob Miller
George Boils
Michael Carter
Joshua Miller Jun.
Henry Wideman
Jacob Weedman
Christian Hoover
Henry Pingel
George Pingel
Nicholas Hagerman.
John Keafer
Joseph Phelps
Edward Clark

Silas Emes
Garret Van Zantee
Daniel Loughlan
Alexander Legg
Elias Anderson
Thomas Mosley
Daniel Herrick
Zachariah Galloway
Thoday Cole
James Cole
W. D. Forest
Ch. Vanvalckenburgh
Wm. Knott
Wm. Smith
Sam Wightsides
Wm. Holloway
Thos. Jobbit
Thos. Smith
Wm. Lancaster
John Stonar
Peter Stonar
William Sterrett
John Hunter
John Duggat
John Hartwill
Silas Sargeant
Robert Lackie
Ephraim H. Payson
John Closson
Wm. Hunter
Sam. D. Cozens
Jacob Crawford
John Crawford
Samuel Munzer
Peter Winter
Benjamin Corey
John Moses
Caleb Crawford
Isaac Garow
John Lyon
John A. Lawson
Andrew Lawson
Samuel McCaffy
James Ashley
Abraham Van Horn
Melger Quantz Sen
Frederick Quantz
John Earl
Joseph Cogsell
Stephen Howard

John Evans
Thomas Stoyles
Benjamin Davis
John Haynes
Timothy Evart
John Berry
Richard Wilson
Alexander Thompson
Joseph Ogden
Isaac Mitchell
John Smith
James Wilson
Samuel Giles
Isaac Wilson
A. Lymberner
Andrew Clerk
William Lyberner
Joseph Haynes Sen.
Joseph Haynes Jun.
Philip Haynes
Jacob DeLong
Hugh McLuccy
Oliver Prentis
Abraham Devins
John Divor
John Buckholder
Jacob McKay
Thomas Humberston
Christopher Harrison
William Harrison
Thomas Denison
Seneca Ketchum
William March Junr.
Benjamin Gerow
Michael Wright
Thomas Gray
James Johnston
John Slough
John Houghgre
Joseph Harrison
Alexander Gray Senr
Alexander Gray Jun.
William Gray
Samuel Jackson
Silas Fletcher
Robert McMachan
William Marr
Samuel Reynolds
Avery Stiles
S. E. Howard.

We the underwritten do positively declare that our names appearing certain paper headed by E. Hale, high Constable, was contrary to our desires a malicious libel.

JOHN EDGILL
ROBERT LACKIE
WM. HUNTER
WM. STERRETT
JOHN HUNTER.

I, the subscriber hereunder written, do positively declare, that I never wrote my name on a certain paper, headed Eliphalet Hale; nor did I ever order it to be done by any other person whatever, therefore declare the same to be a scandalous forgery.

ANDREW CLARK.

To the Public.

(p. 100.)

Whereas we have well known that certain persons in office have been busily employed for near three weeks in prevailing on various descriptions of people to sign a paper purporting their disbelief of a meeting held by independent Freeholders of York, Durham and Simcoe on the 24th of July at Hoyle's Tavern, York, to address the Hon. Mr. Thorpe; this paper we paid little attention to then, because we were satisfied the public perfectly understood the object and motive with which it was carried about; however, as we now find the contents of that paper have been published in the York *Gazette*, under the authority of the High Constable Mr. E. Hale; we feel ourselves called on, as Chairman and Secretary to the meeting, to declare there was not only one, but two meetings, the first held at Yonge street, the second in York; That the principal object of the Freeholders was concealment of their intention from the Judge until the object was carried into effect; and to call only such to the meeting as could contribute without injury to themselves or families; And we do further declare that the Freeholders were willing to have their names published with the address, but on the Secretary's waiting on the Judge with a copy the day before it was presented, the Judge himself requested the names might not appear, as he said "too many had already suffered for declaring their attachment to him." However, we now find it is the wish of those who did sign then, and of others who could not attend at that time, but have since signed, to have all the names published, and we shall send them accordingly by the first safe opportunity for insertion in the Upper Canada *Guardian*.

JOSEPH SHEPARD
ALEXANDER MONTGOMERY.

Sept. 4, 1807.

To Joseph Wilcox, Esq.

(p. 101.)

Sir,—Messrs. Shepard and Montgomery having sent the above piece to me to get printed in the York *Gazette*, I carried the same to Mr. John Cameron, who positively refused to publish it, I now forward it to you for insertion in your paper. You will shortly hear from Messrs. Shepard and Montgomery, who are now deeply engaged in their harvest.

JOHN VANZANTEE.

No. 36.—JUDGE THORPE TO SIR GEORGE SHEE.

(*Canadian Archives, Series Q., Vol.* 310, *p.* 113.)

Dear Sir,—The meeting of the Legislature is now over, and it becomes necessary to inform you once more of the state of this Province, but as this letter will contain every thing not already mentioned, I hope it will be the last I shall be obliged to trouble you with.

After the people had forced me into the House of Assembly, they told me their grievances 1st that the Executive Council would not account for the money raised by Taxes, 2. That the proclamations by which they were brought here were not attended to by the Executive Council, 3. That the Land was given partially, Fees taken and laid on according to pleasure & the money never accounted for. 4. That their Representatives were all bribed with the Crown Land and that they had a

petition for the King now ready. I promised to do all I could mildly here and that I would write to you warmly, on condition of their giving up the petition for some time, which they agreed to do. These complaints I must explain. By the 14th of the King, C 88, a Tax of £1. 16s. was laid on Tavern Licenses, and all moneys arising from this the Executive have taken and appropriated without accounting to Parliament, again by the aforesaid Act and by the 15th of the King, C 40, duties are laid on Rum, Brandy &c. &c. coming into the port of Quebec, now by an Act of this province, 41 of the King C 5 similar duties are laid on the same articles coming into this province from the United States, this also the Executive Government contend is raised under British Acts, and take to themselves without accounting for any of it to the House of Assembly here; by the 18th of the King C 12 Gt. Britain generously gave up all right to taxing the Colonies except where necessary for the regulation of commerce, & then the produce arising from such Tax was to be applied to the use of the Colony in like manner as moneys raised by the House of Assembly; this Statute is recited in the 31st of the King, C 31, which gave the Constitution to the province; at the passing of which Act Mr. Pitt said it was the intention to bestow the British Constitution on the province because it was the best in the world and would therefore leave nothing to be envied from our neighbours, and Mr. Fox with his usual great political wisdom at the same time declared "that would reconcile him to any imperfection in the Bill as to give such a Constitution & conciliate the affections of the people, was the only mode by which England could restrain such distant Colonies" yet in defiance of all this, the Government to retain the control over a pitiful thousand a year (which they could as easily control through the House of Assembly) will continue the system which lost the States of America, until they have brought this fine country to the verge of a similar situation. I grieve to the Heart to see this weak, passionate, self-sufficient Governor bred in the Army, surrounded by a few half-pay Captains, men of the lowest origin with every American prejudice and every idea of military subjection, and directed by half a dozen storekeepers, men who have amassed wealth by the plunder of England, by the Indian Department and every other useless Department, by a Monopoly of Trade and extortion on the people; this shopkeeper aristocracy who are linked from Halifax to the Mississippi, boast that their interest is so great in England that they made Mr. Scott (their old Attorney) Chief Justice by their advocate Sir Wm. Grant, that they will keep Lt. Governor Gore in his place, drive me away, and hold the people in subjection; but these rapacious, ignorant men never reflect that the inhabitants of this province, tho' lately poor, & accustomed to subjection are now independent, and ready to turn on their oppressors, they do not consider that altho' by giving the Crown Lands to the Members of the House of Assembly they keep things quiet for a little, yet that it is adding fuel to the fire, which may keep down the blaze for a little, but will cause it to rage with greater violence hereafter; When the Committee on the public accounts reported that the Executive had not accounted for the money raised as I have before stated I begged that the whole might be referred to Mr. Windham and was convinced that the province would abide by his determination, but nothing like conciliating would answer, a majority was secured & the accounts set aside for a year; thus they imagine they may go on opening and closing their wounds annually; I was anxious something should be done for the Loyalists and Military Claimants & moved the address which I enclose, yet mild and respectful as you will find it nothing could induce the Government to do any thing that could harmonize the people. I endeavoured to get an Act for making great & good Roads, but by various manœuvres that was frustrated; every attempt of mine to promote Agriculture, or encourage the culture of Hemp is defeated, in short every thing must rest with Mr. Windham, and how he may be misled by misrepresentations I know not, but this I well know; that every exertion that this great body of Traders can make by interest, malice & falsehood to depreciate me in Mr. Windham's mind will be tried, but I have too high an opinion of him to suppose I will not be heard, I know my own integrity, I know how laboriously I have done my duty, I know the truth of the representations I have made & I know my attachment to the interest of England; but if Mr. Windham

not satisfied I am ready to cross the Atlantic to convince him, or if he is convinced that the old system is a safe & good one, let him remove me before the storm begins, I am ready to go anywhere with my large & helpless family, altho' I could make double my salary at the Bar & altho' the people would subscribe to any amount to keep me here, & in the House of Assembly, yet I say send me anywhere, and in any station, where I can render any service, I will undertake it cheerfully.

Mr. Wyatt because he is a gentleman of high honour, and strict integrity has been driven from this, to him I refer you for truth.

I know how much your time must be taken up by the War, I know how little you can give to the Colonies, but in pity to the wretched and oppressed situation in which I stand, with even two lines to express what your wishes are with respect to the Colony & myself.

I am most truly, Dear Sir, your very grateful
& obedient humble servant

ROBT. THORPE.

York, Upper Canada.

March 12, 1807

I have before stated the value of this province by encouraging the cultivation of Hemp & paying proper attention to Lumber; I have shewn how every expense could be taken from England, & am ready to convince Mr. Windham one hundred thousand a year may be saved if the interest of shopkeepers (who have kept this province in a wilderness for the cultivation of their own pockets) should not prevail; besides if the inhabitants had the advantages the Royal proclamation promised and also the Constitution which the British Parliament intended the Americans would soon envy this province, whereas our best subjects now envy them.

Enclosure.

Address of the Legislative Assembly to Lieut. Governor Gore.

(p. 121.)

May it please Your Excellency,—

We His Majesty's dutiful & loyal subjects the Commons of Upper Canada in parliament assembled are highly gratified by your attention to those truly deserving persons who joined the Royal Standard of the United Empire, previous to the year 1783. With great delight we also reflect on your humane desire to alleviate the misery of their unfortunate children, but regret to learn that instructions from His Majesty's late Ministers have prevented your liberal intentions being carried to their utmost extent, such instructions we are confident must have been obtained by misrepresenting the condition of these meritorious subjects, and also from misunderstanding the political state of this province.

We therefore beg leave to assure you that great injustice has taken place with regard to these loyal people & the utmost injury to the people at large. But with pleasure we declare our confidence in Your Excellency, & rely on your making such representations as will induce our munificent Sovereign to withdraw restriction, suffering recompense to rest on claim and reward on desert. Thus His Majesty's bounty will be granted in its fullest extent, & your benevolence gratified in extending to merit its remuneration & and to the province happiness and tranquillity.

We are also anxious to impress on Your Excellency's mind the distressing situation of the military claimants, who from fatuitous circumstances and accumulated misfortune have not been able to come within the Royal proclamation, or derive any benefit from the promised reward which induced them to settle in this province.

These brave men after enduring such toil and danger as have entailed the infirmities of age before they had passed the acme of Youth, these brave men whom the foe could not subdue now in decrepitude & poverty sink vanquished by neglect.

But we feel assured that your beneficent exertions will be equally extended t these unfortunate sufferers; restriction being removed you will hold the scales o justice & by balancing merit with reward, will leave complaint without support diffuse universal satisfaction throughout your Government.

No. 37.—JOSEPH WILLCOCKS TO MR. WINDHAM.

(Canadian Archives, Series Q., Vol. 310, p. 126.)

YORK, UPPER CANADA,
1st Ap. 1807.

SIR,—I was High Sheriff of the Home District of this province and believe n one can charge me with the slightest neglect of duty. I had my Commission unde the Great Seal of the province, and received one hundred a year from the Treasur of England, yet without any fault charged, or any reason assigned I have been di missed. I could procure the most honourable testimony of my loyalty to m Sovereign, and my attachment to Great Britain, together with the signatures o hundreds to satisfy you of my attention in my Office, but the irritated state of th Province is such from the arbitrary conduct of the Government that I consider it m duty to remain perfectly quiet, and rest on your wisdom, justice and humanity tha when a new Lieutenant Governor is appointed you will desire him to examine int my case and determine according to my desert.

The great body of people seem to be impressed with an idea that you are apprize of the state of the Province, Your great political knowledge, your talents an private virtues are as well known here as in London and anxiously awaiting you determination tranquillity is preserved.

I have the Honour to be, Sir, with every possible respect,
Your Obedient Humble servant
J. WILLCOCKS.

No. 38.—JUDGE THORPE TO SIR GEORGE SHEE.

(Canadian Archives, Series Q., Vol. 310, p. 130.)

DEAR SIR,—Conscious of the excess of business in which you are involved I wa in hopes that all trouble from me was over, but on oppression's head oppressio accumulate so quickly it is unavoidable.

My letters had for a long time been opened or suppressed at last on the Pos masters delivering me one with many enclosures before several persons, I remarke that I supposed it had been opened, & on pressing it a little together drew from th side all the letters & on putting them back asked him to account for it, he replied h could not as it had passed many offices before it came to his; in a few days I wro him the following note: "Sir, I sent twelve shillings, the amount of your demand & I hereby give you notice for your own and for the information of the other pos masters or Deputies, that if I receive any more letters opened, or can prove that an more are suppressed, I will give directions that such proceedings shall be commence against you as the Law directs." Now for this kind & quiet step to find o where the fault lay, the Lieut. Governor had me indicted, he wrote to his *learne* Solicitor General for a Law opinion on it, who informed him, it was a libel & at th Court of Oyer & Terminer, the Grand Jury were prepared to find it, & a little befo the Court broke up, that it might hang over me for six months. Some of the jur were amazed at its being a libel, but the Soliciter was sent for, and he informed the it was; a friend sent for me, I went instantly to Court where I exposed it to o *wise* Chief Justice, & desired him to crush it, & not suffer the country to be agitat by such an ignorant wicked production. He applied to the Solicitor who instant declared before the public (altho' what had passed in the Grand Jury Room was to & altho' the Indictment appeared in the writing of his clerk) that he knew nothi about it & beg'd for time; the Court gave him till next day, at which time

red he could not go into it, & the Court was adjourned for near three weeks, efore it was to meet a *nolle prosequi* was entered and that after inflaming the try & attempting to degrade me, they have completely exposed their own isness, & rendered themselves if possible more contemptible than before; I got a copy of the Indictment but I fear to keep up the irritation that prevails gst this faction, by trying an action for a malicious prosecution.

The Lt. Governor has dismissed the Sheriff and Gaoler, without any one fault, at is the consequence? Why the people say every thing is prepared to pack a & that no man's life is safe; the printer turned out, driven mad & put into and every soul that was intimate with me is persecuted, in short I think it my to acquaint Mr. Windham that under the system Lt. Governor Gore proceeds rovince must continue not only useless, but burdensome to Gt. Britain for a & on the first disagreement with the States it will be lost, and also Mr. Gore rivately abandoned and so publicly impolite and profuse, that he has rendered lf contemptible, & is utterly unfit for the Government; these things, & every I have before written, I am ready to prove at the Bar of the Council in London, ded I could be allowed a small sum for witnesses, as I am so poor from twice ring a very large family, that I could not bring even myself to England: I am persuaded of his misrepresentations of me, for he is so capable of falsehood, e has invented conversations for me, of which I never uttered a word, & with ns to whom I never spoke a syllable, but as for myself, I defy him & all the . I have done my duty, not only most strictly, but have also given the highest action and, unless it is become a crime, neither to consider my own trouble or st, tho' in difficulty as to my property, & four thousand miles from my friends, innocent of every charge the utmost malice could produce. My letters from rst moment I came here to Mr. Cooke & yourself will explain my motives for g any part: I found a wretched faction aggrandizing themselves & ruining the nce, a Council that had no right to act made a President without right; the promise refused the people, & the British Constitution denied the Colony; the il heaped land on themselves & favourites in the best places, & almost without while the people could not get land in the worst places, without exorbitant laid on without law, every useless Department kept up, & every expence on nd continued because the money went thro' this faction the province was com- y neglected because the people were to be kept in poverty and subjection, laint was prevented from going to England, because the members of the House embly were bribed with the Crown Lands, but I saw the people ripened into endence against every opposition & that they would not much longer submit. the great value of the Province in the Fur trade, in hemp, in flour, in lumber, w no power that could hold it, but by giving the people a secure root in the nd leaving them nothing to envy in their neighbours; in truth I saw that by ing the inhabitants all the privileges Gt. Britain intended, they must be the nviable & the happiest people on earth, which would render them not only to England, but a promising instrument of attaching many of the Northern of America once more to Gt. Britain. I therefore could not relinquish my o England, in the moment of her glorious struggle for liberty against French tism altho' by so doing I might have had any land, any power, & every servile ion these wretches could heap on me; but Mr. Gore for whom I had prepared ay to every comfort & every popularity to render great advantage to England, te prosperity to the Province, & eternal fame to himself, has preferred being rvient to this faction, supporting all their power & augmenting their oppression n a stipulation of their supporting him with the Ministry in England, & to ete this, every engine here & every interest in England is exerted to crush ress me, & as for falsehood & calumny the whole set are incapable of any else, but if ever I get an opportunity of exposing them before the King & il (for here I dare not let out what I have in my mind from the state of the nce) neither the annals of Tacitus, nor the verses of Cicero, shall be found to ce any wretches, or any system more despicable or oppressive.

ord North found when too late that the false accounts of Governors & misrepre- ions of the independence, determination & resources of the people lost the

United States, but if Mr. Windham wishes to continue Mr. Gore as Lt. Governor he can easily remove me, & I will most willingly determine never to engage in politics, & let him only send me where I can render service in any line & trust me I will do it.

Mr. Russell the Receiver General is old & very ill, therefore Mr. Windham can completely renovate this place, he can easily give a judicious Governor & a new Council; for Mr. Grant wants to retire, Mr. Shaw to get on half pay, & Mr. Baby should go out, as he does not attend his duty, & if Mr. Wyatt returns, Mr. Stanley points out & a sensible man as Receiver General all may go well.

I am dear Sir, your persecuted, grateful & truly obliged
& obedient humble servant
ROBERT THORPE.

York 22nd April 1807.

P.S. The Americans have made a great exertion to destroy our Fur Trade. I have given Mr. Wyatt & the British Consul at New York a scheme to defeat them; if you think it feasible you will recommend it to be adopted. I will undertake to have it executed without one guinea expence, & without more Waste Land than is improperly given to corrupt the House of Assembly one session. I am sure you must acknowledge I do not slumber at my post, whether you allow me to watch well or uselessly.

R. T.

No. 39.—JUDGE THORPE TO THE SECRETARY OF STATE.

(Canadian Archives, Series Q., Vol. 310, p. 173.)

York, Upper Canada July 12th, 1807.

As I know not who is Secretary of State for the Colonial Department, I must avoid any particular address, but to the honour, the feeling and justice of whoever may fill that important situation I am forced to appeal, and I shall make it, without any effort to induce any other person to interest or influence him because I am satisfied he will be above being biased by the strict line of justice, by the power, connexion or interest of any person. Lieutenant Governor Gore, without attempting to charge me with any fault, without having the boldness to suspend me from my office (by which I would have had an appeal to the King and Council) has dared to interfere with me in the discharge of my duty, and at the moment I am sitting in the King's Bench as a Judge, a letter comes to the Chief Justice desiring him to arrange the Circuit as he had given directions to have me left out of the Commission of Assize; with great respect I beg leave to say that neither his Commission nor the Royal Instructions, have armed him with authority thus to interfere with my duty, thus to insult me & others to rob me of two hundred pds, but what can justify an act which will produce universal discontent which will resound throughout the Provinces, and ring across the Atlantic until it awakens justice at the gate of St James's, if you do not interfere strongly, this is what I have long dreaded, for eight months I have prevented the people from sending a petition to the King, because I know the misery that often follows from the people taking a part, & because I know that the American people consider that if their remonstrance is not attended to that they are justifiable in revolt, under these circumstances when the Chief Justice informed me that I would get leave of absence I told him I dare not go, because I knew the convulsion it would cause; I implore you to interfere not only for the sake of England & the province, but for the cause of humanity, you have full statements from me do something to harmonize the people, tell me what you wish me to do & if you desire that I should go from this I will try to retire without irritating the public mind; at the same time I declare that Mr. Gore is perfectly incapable of governing this province, he is weak, passionate, arbitrary & self sufficient to uphold the power he assumes, he descends to the most injustifiable means, has the lowest agents, does the most oppressive things, interferes most presumptuously, is prodigal in promise & reward to effect his purpose, & appears to have no regard to truth even in conversation; he thinks (because he

shes it) that the people can still be deceived & kept down, but it is insanity, they member the Royal promise by proclamation, they know what the British Parliament gave them by Statute, they have passed over the weight of toil are now independent and will enforce their right: I have given the fullest information to the ecretary of State's Office, I have laboriously discharged my duty, I have sacrificed very comfort, I have disregarded every advantage the Government here could estow & I have suffered every oppression they could inflict, which extended almost o the deprivation even of bread from my family, for the purpose of preserving ranquillity, of preventing petitions & of holding them attached to England, by giving very assurance that their grievances would be redressed without remonstrance or elay.

I know how your time must be engrossed by the war, and by the Colonies of apparently greater importance, but I beseech you to consider for an hour about this distracted Country; let any one examine my representations from 1805 every word of which (& much more) I am ready to prove, see how they hang together, examine Mr. Wyatt & Mr. Jackson who have lately gone from this, then look into Mr. Gore's misrepresentations & if there remains a single doubt call on me for proof. I hope in my composition I have no revenge, I shall not seek to bring forward charges unless you desire it. I do not wish to remain here or take any part but as you desire. You will observe by what insensible degrees I have been led into my present situation and you may judge how happy I would be to get relieved. I declare to God in a charge to a Jury, or in any other shape, from the Bench, I never uttered a word of politics or made the slightest allusion to the Government, then how can this attack be palliated, but what may I not expect when even my letters were opened and suppressed in the Lt. Governor's Office.

This faction is capable of anything, I think they will assassinate me. I have a wife, a sister and seven small children, four thousand miles from friends; in their misery do not forsake them.

I have the honour to be, Your Obedt. Servant
ROBERT THORPE.

Excuse much of this. I write it in hurry & wretchedness.

P.S. On Circuit I never go into any person's house, I know very few, and except once, I went to examine the communication from Lake Simcoe to Lake Ontario, I never was ten miles from home, the people only know me from my public conduct, and voluntarily they have offered a tribute of approbation in every Court I ever presided— this is my crime.

R. T.

No. 40.—LIEUT. GOVERNOR GORE TO GEORGE WATSON.

(Canadian Archives, Series Q., Vol. 310, p. 223.)

UPPER CANADA 29th July, 1807.

MY DEAR MR. WATSON,—I cannot sufficiently thank you for your kind and friendly letter of the 14th of April last, which I received on my return from Lake Huron, after a most delightful tour of about five hundred miles. Perhaps I may send you my journal, but if I do, it must be on condition that you do not *print it*.

Thank you for the admirable letters you enclosed, they brought every circumstance of a late transaction clearly before me, and the author merits the esteem of every honest and independent Englishman. I should like to know if all the Talents have reply'd to them. if they have do not forget me.

As you have touched on the political situation in this Province, it gives me an opening to state some particular circumstances to you, which will I am convinced prove to you, that I am and have been placed in an embarrassing situation. I mentioned in my former letters, that the opposition to the Government was headed by Mr. Justice Thorpe, and it appears in your last letter that you are apprehensive I may allow my feelings to hurry me beyond the line of prudence. Unassisted as I am, I hope my conduct will appear moderate. You will have seen my dispatch

to Mr. Windham (No. 20) giving that Minister a narrative of Mr. Thorpe's conduct and proceedings since his arrival in this Province, accompanied by some very strong documents. In that dispatch I state, having resisted the advice of some of the most respectable persons, who urged me to suspend Mr. T. from the exercise of his functions as a Judge. I have I think done my duty, in representing the conduct of this Gentleman and it now rests with the Ministers, either to support the established Government or permit Mr. T. to erect an independent Republic, indeed if those representations are not attended to, I know not what I can urge to attract the notice of His Majesty's Colonial Ministers. Do not imagine that I can suffer a Faction to provoke me to a personal controversy, altho' every attempt has been made (since Mr. T. found I was determined to support the Executive Government) by the most infamous and disgusting calumnies being propagated, to injure my public and private character. I have treated them with the contempt they deserve. I shall affect to look upon them with indifference, but they shall be narrowly watched, and when the blow is ready to fall, it shall not be administered with a light hand.

I have enclosed you the copy of an anonymous letter received from New York. As these kind of letters are seldom to be much regarded, I had thrown it aside; indeed it occurred to me that it was a trick of Mr. Thorpe's party to urge me to some step, of which they might take the advantage. The last mail has put me in possession of the author's name, (a merchant of much respectability at New York) who has promised to continue his information. I have in consequence sent a confidential person to New York, who from his connexions there, I hope will be enabled to get an introduction to Emmett and Cheetham, and if any seditious or treasonable correspondence exist, I think that person will get at it.

Mr. Wyatt who drove me to the unpleasant step of suspending him from the office of Surveyor General, handed a paper about at New York which stated from the tyranny and oppression of this Government, the Colony was on the eve of a revolt. I am in expectation of receiving the particulars of Mr. Wyatt's conduct when in America from Mr. Barclay the Consul.

I have thought it expedient to direct that Mr. Thorpe's name should be omitted in the Commission of Assize about to be issued; in adopting this measure I have consulted the peace and welfare of the province. Surely no one could approve of my allowing Mr. T. to have another opportunity of disseminating his wicked and inflammatory doctrines from the sacred seat of Justice. When he has called upon a Jury to interfere in the Government of the Country by opening his address from the Bench with "The fifteen years disgraceful administration in this Province, calls loudly for your consideration." It reminds me of the passage in the Bible: "To your tents O Israel." This worthy Judge is involved in Law Suits, in one instance he had the modesty to leave the Bench to plead his cause at the Bar. I have enclosed you the copy of a letter from Mr. T. to *our poor devil of a Chief Justice*, which I have requested him to treat with contempt. This letter is a fresh proof, if any were wanting, that he considers the exercise of his functions as a Judge, a matter only of secondary consideration. His first and great duty it seems is to thwart and attempt to control the Executive Government, and if, as he has the effrontery to assert, almost in plain terms, he was sent out with *direction* so to do, he has indeed done his duty *strictly and laboriously*. I should here observe that Mr. Thorpe has impressed the belief on the public mind, that he received positive directions from our friend Cooke, to watch the proceedings of the Executive Government, and to transmit monthly to the Secretary of State an account of the situation of the province. Although I am convinced of the absurdity and falsehoods of such statements, yet it is difficult to undeceive the public, and I wish Cooke would contradict his impudent lies, or at least permit me to do so in his name. Cooke is possessed of too much good sense to confide in a person whose character he was unacquainted with.

I have given you too much of Upper Canada politics, but I am anxious that you should know what I am about, as I have no doubt you have your fears, that my warmth or stupidity may drive me into errors.

Tell Cooke (in confidence) that our Chief Justice finds himself so much out of his way, by having engaged in political controversies, that I *know* he would resign

on his being secured £5 or £600 a year. Mr. Scott is an honourable, good man, but so extremely timid both on the Bench and in his political capacity that he never decides. You may easily conceive some of my difficulties, when I inform you that I have been obliged to write to Mr. Allcock for an opinion on a Provincial Act.

Write to me freely, you know how much I stand in need of advice and assistance. When you see Lord and Lady Camden offer my very best respects to them. Tell Lord C. that Captain Givins arrived here in May, and I have found in him a most useful and intelligent Officer.

Remember me to Cooke, and Believe me

My Dear Watson
Aff. Yours
F. GORE.

The anonymous letter, copy of which was enclosed, is enclosure 8 of No. 33, of this note (Gore to Castlereagh). The foot notes are in the copy sent to Watson, pp. 230 to 234, and are added in the copy at No. 8 of No. 33.

No. 41.—JUDGE THORPE TO SECRETARY OF STATE.

York, Upper Canada
August 14th, 1807.

Under the present system of arbitrary oppression all my letters are stopped and opened, & those from me intercepted, so that I neither know who is Secretary of State or whether my appeal to his justice will ever be received.

When I was first informed the Lieutenant Governor had directed my name to be omitted in the Commission of Assize, I wrote indignantly on the instant, I feel lowered at being so roused, pray pardon any unpremeditated warmth of expression. I enclose an address which was presented to me from the freeholders of the adjacent counties with six hundred dollars; in the present disturbed state of the public mind & at the moment of threatened trouble to soothe and conciliate I was obliged to pledge myself in my answer that redress was rapidly approaching.

When I was first sent to America, I was desired to give every information I could obtain to the Secretary of State. I was indefatigable in research. I viewed the magnitude of British North America from Newfoundland to Nootka Sound, from the North Pole to latitude forty, I considered its physical & political advantages I found it capable of being made the greatest Empire in the world. I beheld her with a bosom of plenty in youthful luxuriance, nurturing her venerable parent & I rejoiced for my Country; I then turned my mind to the minute considerations of the Colony in which I was placed, I strove to cherish what was in infancy, Fur, Flour & Potash, & to bring forth what was in Embryo, Iron, Hemp & Lumber, & while I laboured to increase her value, I pointed out the mode of lessening her expence to Great Britain; I then contemplated her danger, her distance from England, her contiguity to the American States, her internal resources & the disposition of her people. I perceived there was no security, but from the unanimity and affection of the Inhabitants and found her radically insecure, because the people were disaffected to the Government, yet England had every good disposition to make her prosperous & happy, with every thing enviable on Earth to bestow in a rich soil & temperate climate, she directed land to be given under the most honourable tenure, she ordered the law & constitution of England to be administered. She sent utensils and provisions for those who had suffered from their attachment to the Empire, she gave establishments and protection without expence; all, without rents, rates, tythes or taxation, lastly she invited settlers from the States to increase population and participate these blessings; here was liberal reward & political wisdom in the extreme, but reasoned in administering; the officers in the land granting Department from avariciousness to obtain some paltry fees, threw every difficulty in the way of the loyalist and invited Settler, because by proclamation they were promised land without fees; those whom they could not frustrate were sent to a distance in the

wilderness unless they were favourites, or convenient subservient men, the valuable parts were granted in large tracts to themselves, to complying members of the House of Assembly, to those who could pay fees, or to any who would be serviceable in the basest projects, in short the Crown Lands were bartered so openly for private emolument & public corruption, that the people were disgusted, the Constitution they so fondly looked for was withheld, the public money was not accounted for before the House of Assembly, and they concluded it was embezzled by the servants of the Crown, they heard Gen. Hunter had sent near thirty thousand pound to England, they saw this Lieut. Governor endeavouring to frustrate the verdict of an honest Jury, & openly endeavouring to overturn the freedom of Election, making the worthiest men victims, not only to their votes but even to their supposed inclinations; add to this the exertion and oppression of the Shopkeeper Aristocracy who rule British North America with a rod of iron, a voracious set, who are linked from Newfoundland to the Mississippi, with great interest in England, & even protegés in power, every man on his arrival becomes their debtor, and lest he should ever get extricated, they make every effort to defeat any project that might bring forth the energies of the people, they are universally the Magistrates & enforce the demands of each other, they make every exertion to make any expence in England from being curtailed, because every disbursement passes through their hands and finally becomes their acquisition, the land & produce is at their mercy, but when the people saw them made the friends, companions & advisers of the Lt. Governor, with everything at the command of the upstart wretches whom they had lately known in the most despicable situations, they were ready for revolt, the cup of bitterness was full, & looked to a rupture with America as joy; in many places they have met & trained on the Anniversary day of American Independence as they were accustomed to act on the King's birthday & they behold the Americans building forts, & embodying their Militia on the opposite side of the St. Lawrence as a preparation for the dissolution of their bondage. My letters to the Secretary will shew how long & how fully I have represented the state of this Province, & the causes which gave rise to this universal dissatisfaction, they will prove for what reasons & by what insensible degrees I have been brought forward, I have detailed every act, every thought, they are documents to prove my principles and my investigations, but nothing can shew you the wicked & despicable attempts that have been made to oppress and drive me from every principle of duty & force me into their destructive faction. I fear much evidence from the Eastern part of the Province on account of my not going Circuit, altho' I never was there the people fancied they would find satisfaction from my conduct, as the other parts of the Colony where I had presided had taught them to expect, and surely this was no time for the Lt. Governor to rouse indignation by shewing his puerile enmity to a man who never had done him an Injury? but who laboured to prepossess the public with the most favourable idea of him even before he arrived, until the violence, the ignorance, & the meanness of his conduct forced me to give him up. I know he has no regard to truth, & that he is capable of employing the vilest tool to say & swear to any calumny; I am satisfied that my opinions on the unnecessary expence that is heaped on England, the illegality of fees, the land jobbing, & the arbitrary system that is pursued, has raised me a host of foes; but I defy all the world to lay any crime to my charge, either in my public or private conduct, but that I am poor, & that neither myself or wife (from being reared in the lap of affluence) understand the management of money, & at the same time I will pledge myself to prove the truth of every line I have ever written to your Department, & justify everything I have ever done or said, in or about the Province, and should it ever be my good fortune to go before the King & Council, I will lay open such a scene of depredation, oppression & vicious conduct as must naturally have incensed the people & that the system I have ever proposed is the only one to harmonize & conciliate the people, to preserve the Province, prevent its being burdensome render it valuable to Great Britain. One step more & I have done. We are on the verge of what I have often depicted & long feared, yet in this desperate state I would pledge my life to satisfy every grief and unite almost every being in a fixed determination to preserve in the

t extremity the Province to Great Britain, & in such a wilderness so intersected
h water it could be easily done were the hearts of the people more animated in
cause, for they love England and her Government, but they feel themselves
mpled on by those they despise, they find themselves defrauded of the Royal
omise which they know was intended to be fulfilled; they see that neither the
itish Law or Constitution is administered to them & that where they expected to
freemen they are treated like slaves.

I enclose you the last address of the Indian Chiefs to the British agent in which
u will find they accuse the Executive of embezzling their money, they also desire
eir money to be laid out in this Province, but their money being placed in the
nglish funds, is the strongest tie to hold them to Great Britain, & my influence is
ch with Brant & other Chiefs that I will undertake to reconcile them to the money
oing to England, if they are only done justice to in other points. Surely their demands
re moderate, & it is only just, wise & politic to grant what will satisfy or conciliate.

The worthy & intelligent Mr. Cooke, when he congratulated me on this appoint-
ent, told me it was worth one thousand a year. I could now convince him I do
ot receive above six hundred & fifty, & that I have been cheated in two years of
hree hundred pounds circuit money; however I must now entreat (as a mark of dis-
pprobation of my being prevented from going Judge of Assize) that you will give
irections for the Lt. Governor to issue a warrant for my receiving the money allowed
r the Circuit I ought to have gone in my turn it will be justice to me & gratifying
o the Province.

Would it be your pleasure to continue the old system, I must pray of you to
lace me in any other situation where I may render justice in tranquillity, or serve
ngland in any shape, but *here* where every attempt has been made to deprive my
amily even of subsistence, & every indignity has been offered to myself it would be
mpossible to remain, but if the system is changed, & a new Governor will make
stice the basis of his administration, I can ensure him & the people happiness,
armony and prosperity.

I have the honour to be (with great respect)
Your much obliged & obedient humble servant
ROBERT THORPE.

Enclosed.

GRAND RIVER INDIANS TO WILLIAM CLAUS.

(*p.* 262.)

To William Claus Esq Agt. Ind. Affairs &c. &c. &c.

Brother,

You'll excuse us for so often troubling you upon the same subject, but having
ately held a Council of our Chiefs on the Grand River on which we were unanimously
of our former opinion & resolved that Mr. Penfield should have the grant for the
Township originally sold to Philip Stedman, & by P. Stedman to Mr. Hageboom &
Hageboom to said Mr. Penfield, Mr. Hageboom having paid us a considerable sum,
we should regret that he should lose anything by us, & from a connection between
Mr. Penfield & him, we think Mr. Penfield the proper person to have the grant in
order that none may be losers, & that the community at large may know that we
deem our words sacred & shall always if possible fulfil any bargain we fairly enter
into, as we certainly have in the present case with Mr. Daniel Penfield.

Brother,

With respect to the disposal of any moneys that may in future be paid for
land sold by us, it is our wish & desire, that the Trustees put out the money in this
country, as the interest on the same will commence so much sooner & if so much
greater than if sent to England; the propriety of this, experience has taught you, as
it is such a length of time before we can reap the least advantage from moneys sent
to Europe, & of course considerable losers; for instance, we have lost, or at least have

had no account of, the interest of £4,602 Hf. Cy. since the 23rd of May, 1804, & on the sum of upwards of £4,000 H. Cy. since May, 1805, on which we expected interest of six per cent per annum, on a low calculation nine thousand dollars, & instead of receiving six per cent we need only expect four per cent from the English funds. All this we wish the Trustees to take into consideration & to study our interest, as it was for this purpose we nominated them, & not the Executive Council who now alone seem to take the disposal of our moneys on themselves.

Brother,

Having been long in an uncertain state with respect to a Deed for the residue of our lands on the Grand River that has not been patented we wish & seriously request you to let us know how far & whether his Excellency the Lieut. Governor has it in his power to give us relief, if he has it not in his power to confirm it to us by patent we would wish to know so, that we should not attach blame to where there is no right so to do, & that we may then apply elsewhere for a regular deed, or grant for the same. The Chiefs hope that with respect to the Land for which Letters patent have issued by authority, that the Trustees do take immediate steps to carry our intentions and resolutions into effect so that we may be reaping advantages from our sale of them.

Brother,

We again repeat that in justice & equity the Land Block No. 1 is the property of Mr. Daniel Penfield, & it is our desire that the grant to him be completed so soon as possible & that the Trustees do take the proper steps to have the same arranged, as we do not wish by quirks & quibbles of Law to evade doing him equal justice with any Lord of the Land.

Brother,

At the Council lately holden at the Grand River, I was by the Chiefs assembled requested to deliver you this, their address, from their being at this time of the year busily employed at home they could not attend here with me. I have therefore committed the same to writing so that there may be no misunderstanding thereafter.

Niagara 2nd July 1807.

JOS. BRANT.

No. 42.—JOHN MILLS JACKSON TO LORD CASTLEREAGH.

(Canadian Archives, Series Q., Vol. 310, p. 291.)

To the Right Honourable Lord Castlereagh.

Bellevue, Southampton
September 5th, 1807.

My Lord,—I had the honour of Your Lordship's favour of the 29th ulto. for which I beg to return you my thanks. Am afraid it will not be in my power for some time to wait on Your Lordship in London, much as I desire to have a personal communication with Your Lordship relative to transactions which has taken place in His Majesty's province of Upper Canada. I will therefore content myself with relating a few of those grievances which has unhappily produced these effects which are to be apprehended in that country.

On my arrival in York in August 1806, I found much discontent amongst the majority of the people, & some of the Officers of Government complained of the treatment they had experienced from the late Lieutenant Governor. By proclamation those who had served in the British Army in America, during the Revolution were to receive a certain portion of Land in Canada for their services, and who are stiled Military Claimants, numbers of these have been wounded in his Majesty's service, who are now good subjects, but who have never received that compensation promised them by His Majesty, altho' they have made frequent applications, have

never been able to procure what they were so justly entitled to, & which was so liberally held out to them by the proclamation at that time.

Also there are numbers of Loyalists, who in consequence of their attachment to the Crown during the American War, having lost their property in the States, & who were by proclamation promised remuneration by a grant of Land in Canada, vast numbers of these with their families are now settled in the Province, but who having been deceived by the Administration in Canada, were obliged to purchase or to locate Lands by paying the Fees, when they ought to have received them as a Bonus from the Crown, free of all charges whatever.

Many also are now in that country being unable to pay the Fees, & who also of Right ought to have possessed Lands are deprived of their claims on the Government, altho' as much entitled to receive them as those who by partiality are in possession of some of the best and most valuable tracts in the Province.

And my Lord, you will be surpris'd when I tell you that vast numbers of those who had claims on the Government from the treatment they experienced & not receiving that compensation, which it was the intention of His Majesty should be allow'd them for their services, have deserted the British Interest, & have settled with their Families in the United States, becoming subjects of a foreign Government to the great injury & loss to the Colony & disadvantage to His Majesty's Interest in the Province.

The dismissal of these who held office under the Government by the present Lieutenant Governor, has tended to create much discontent amongst the People, for it appears their only crime, was their attachment to the Constitution & the Rights of the People, & who were in a laudable opposition to those who were trampling on their liberties, especially on the Freedom of Election, & the choice of the Majority of the Freeholders in the nomination of a Representative to serve them in Parliament, this gave great offence, & has tended much to weaken the Interest of the Government in every district, inasmuch as that at the next general Election which will happen the next year there will be found few to support any measure which His Majesty's Ministers may think proper to recommend. I am well assur'd that the People will send a Petition to the King, when if their grievances are not redress'd it is to be fear'd, very serious evils will be the coasequence, the part which Mr. Gore has taken against a very worthy man & one of the best subjects His Majesty has, & one who holds no less a situation than a Judge of the Court of King's Bench, whose attachment to the King & our excellent constitution, not even Your Lordship is more a friend to. He I understand has also been suspended & I am afraid much misrepresentation has or will reach your Lordship respecting the conduct of some of those to whose exertions the Government are much indebted for the tranquillity which has lately reigned in the province, but which I give you my honour I wou'd not answer for, unless the Government at Home remove the Evil, by convincing the people their grievances shall be redress'd & by the administration of Justice to all, whereby the Inhabitants will find, that their situation has been attended to at Home; by these means the affections of the people in the Colony may be regain'd & infinite advantages must be the result from the exertions of a laborious peasantry, in the cultivation of a soil capable of producing every article beneficial to the Mother Country, especially in the production of great quantities of Hemp & Lumber, articles which are so essentially necessary to the maintenance & existence of our Navy & which I apprehend we shall soon stand in great need of as the Northern ports are now shut against us.

The Liberty of the Press that grand palladium of British Freedom has been shamefully violated in the refusal of the Government in Canada to suffer the majority of the Inhabitants to vindicate their character (I mean in the Home District) from the most foul and malicious misrepresentation, which appeared in the York *Gazette*, the accusation of Rebels being falsely bestowed upon them in a publication under the Inspection of the Lieutenant Governor & when the public had met to vindicate their character from this unfounded calumny their resolutions were not suffered to be printed, this produced a violent sensation in the minds of the people against the Governor for such an arbitrary proceeding. It will not be amiss here to inform your Lordship that some years ago a vast number of stores of all denominations

were sent out by the Government at Home for the use & benefit of the settl
the first occupation of the Lands, & when the Government was removed to
from Niagara, which were never given to them; these stores are suffered to
& which ought to be sold, whereby a sum of money might be raised & which
lessen the expenditure of the future year.

I shall now also take the liberty of representing to your Lordship, that
siderable sum of money might be sav'd annually to the Mother country, and
is now and has been expended in the support of a useless Marine on the Lake,
for half the year cannot be navigable on account of the danger attending th
and there not being hands sufficient to man them in the Summer, so that th
always one in port. This Marine consists of three vessels, a Ship, a Brig
Schooner, and which are (excepting the Schooner) of no manner of benefici
whatever. I cou'd convince Your Lordship from extracts of some letters th
Discontent of the Province has arisen to an alarming height. I beg your Lo
will pardon the length of this letter, but the subject is of that magnitude a
portance, which I shou'd hope will plead my excuse in taking up so much o
Lordship's time.

Some of the Indians settled in the Province and who were our firm all
whose services the British Government are much indebted, have much cause o
plaint, & which I apprehend will soon be made known to your Lordship.

I conceive by a proper regulation much money undoubtedly might be sa
the Mother Country, & by a judicious arrangement the Country would soon, it
of a Burthen become of immense value to Great Britain & the Province fr
Capability of Improvement wd soon be filled with Inhabitants, who wd defe
against the attempts, which no doubt (should a war unhappily break out be
Great Britain & the States) would be made to occupy that part of British Am
by the armies of the United States, but at present from the disaffection occas
by the proceedings of His Majesty's Civil Officers would be easily taken poss
of, as it is to be feared the people wou'd not be very warm in the support
British Interest & thus wou'd this fine province be an easy conquest to the e
which had a proper system been pursued by a strict adherence to the Constit
so liberally given them by his present Majesty, might have bid defiance to the U
States, the people being well convinced that under the mild and equitable G
ment of the British Constitution, no subjects of any Country whatever cou'd
more perfect Freedom than those who have the good fortune to have become su
of our most gracious Sovereign & who enjoy the most perfect happiness wh
benevolent system of that Constitution is adher'd to. The application of
(by the Government) rais'd in the Province, without the sanction or vote
Commons House of Assembly, has added much to the discontents of the p
which your Lordship must allow is the most unconstitutional proceeding that
have been adopted & which of course produced much dissatisfaction. I under
there is to be a Court of Chancery established in the Province; much mischie
arise from an injudicious exertion of its proceedings, at present the Land cann
taken by a creditor for debt, & which is a very wise system. For were it othe
the Land would get into the possession of a few persons, who wou'd contrive
advance of a trifling loan, or probably by some more nefarious proceeding,
many of the Land holders in their debt, the consequence wou'd be the Land
be mortgag'd for a trifling sum which Mortgage might be foreclos'd
property taken out of the possession of the original occupier. The Legislatur
the inconvenience of this & did not subject the land to be seized for Debt,
intention of the Government was to grant the Lands in proportions of two hu
acre lots, whereby the country, from the number of inhabitants wou'd there
sooner clear'd and put in a state of cultivation.

My object shall be on my return to Canada to endeavour to render the C
as far as may be in my power, beneficial to the Mother Country, for which p
previous to my going, I shou'd solicit the honour of an interview with your
ship. I now beg leave to subscribe myself,

Your Lordship's most obedient & very humble servant

JOHN MILLS JACKSO

No. 43.—JUDGE THORPE TO EDWARD COOKE.

(Canadian Archives, Series Q., Vol. 310, p. 314.)

YORK, UPPER CANADA,
Sept. 18th, 1807.

DEAR SIR,—A letter from Mr. Stanley (which by accident I received) informed me of your being reinstated with Lord Castlereagh in the Colonial Department. For two years I have considered with sorrow the expence this province entails on England. I have shewn how that might be curtailed and the value of the Colony augmented, with grief I have considered the discontent that prevails, I have stated the causes and pointed out the remedy. Mr. Pitt & Mr. Fox were of opinion that the only mode by which Canada could be retained, was by making it as beneficial to the settler as possible, & by rendering the inhabitants so happy that they should find nothing amongst their neighbours to envy or desire, but all the benevolence and wisdom of England was frustrated, these blessings were not administered. The Royal proclamation promised land, provisions, & utensils, to a few they were given profusely, to the many they were denied & to some extent they were sold; so that British honour was in as much estimation here as Numidian Faith at Rome.

The Minister directed land to be given in soccage tenure, yet the people were almost driven to arms before they could obtain anything but leases. The British Parliament gave the Colony the British Constitution, yet the Executive never would suffer the public money to be accounted for before the House of Assembly and for the pitiful patronage of one thousand a year, the people were deprived of the very object they came to enjoy. The Province adopted the English Law, but the people found that power influenced the decisions of the Courts and defeated the verdict of the juries: In short the liberality of the Crown, the wisdom of Parliament & the system agreed on by the greatest politicians England ever produced, as the only mode by which the province could be retained was all despised & the converse pursued. The few were aggrandized and enriched; the many were to be oppressed and impoverished, every establishment was to be kept up & every expense to England continued because the few were to be benefited, but nothing was to be attempted to improve the province, because the many were to be depressed, the Crown land was to be heaped on the few & withheld from the many, because it would be useless to the few if the many were not driven to purchase. The shadow of the British Constitution was given to the many, and the substance retained for the few, the Law of England was above the consideration of any, but the parties concerned under the consideration of all, the result is what might be expected, the whole body of the inhabitants hail with joy, the threaten'd rupture, that they may fly from perfidy & oppression. I am sick to the heart, I have toil'd & labour'd, my mind has been in continual action, by doing my duty strictly & impartially, I have gained the confidence & the affections of the people, & I will endeavour to retain it, as the only chance for preserving tranquillity. I do not mean to give offence, but my mind is so full I must speak the truth; it may be my last effort. When the people found the Montreal Merchants, through Sir Wm. Grant able to make their Attorney Chief Justice of the Province, the cup of bitterness wanted but one drop to make it overflow, and that was quickly added when Mr. Gore was appointed Lt. Governor, a man whose violent, arbitrary, vindictive, selfsufficient conduct would not have answer'd for the legions of Bengal, & which a boy in an upper form at Eton would have been politician enough to declare ruinous in a Colony only divided by the St. Lawrence from the American States. It may be necessary to inform you that the mighty & favoured few, are composed of half pay officers, that have appointments, & shop keepers, that are Magistrates, these are the extortioners, oppressors, revilers of the people, these are the advisers, companions & friends of Mr. Gore, whose will was to be the Law, not even a vote given but as he desired, and to support this despotism the Crown Land was distributed for every vicious purpose that could be devised & for no one good purpose for which it was intended. Mr. Gore is so weak, so rash & so confident of Lord Castlereagh's protection, that I suspect he would have suspended me, for not assisting him in accelerating the loss of the province; it would have been

desirable as I would then have had an opportunity of laying the whole system befo the King and Council, but the province got at last into such a state that I dread being obliged to leave it, & here will I now remain (unless the Secretary orders m away) while it can be held for Gt. Britain. But even twelve months ago if M Pitt's intentions for the Government of this Province had been followed and a digni fied sensible political man sent as Governor with an intelligent liberal active man Chief Justice, this Colony would have armed en masse & defended itself without an expence to England against all the power of America, for it is a wilderness so inte sected with water that nothing could penetrate it; If it was the interest of the peop to defend & Government had their affections to animate, all would be security.

Mr. Gore has gone to London Canada, absolutely abdicated the Province in vi lation of his Commission, without any person being sworn in to administer the Go ernment. As to this place it is not even protected from the Indians, & if there war (which God avert) there will be mischief from these savages, but if the goo sense of both nations should continue peace, and Lord Castlereagh think of sufferin Mr. Gore to remain & his system to be pursued here, I hope he will quickly pla me where I may quietly do my duty. Wherever I may be placed he shall alway find justice and integrity, the standard of my actions and the measure of m ambition.

I have the honour to be with great respect & esteem,
Your most obedient humble servant
ROBERT THORPE.

P.S. I send you two papers which with other matters already forwarded wi assist in proving the impotent malignity of Mr. Gore's conduct to me, an' his insult ing me (for election purposes) in ordering my name to be omitted in the Commissio of Assize on which I have appealed to the justice of the Secretary of State fo redress, many of the respectable people raised a sum of money, which they presente to me with an address, as a compensation for the sum I should have received b going circuit. Mr. Gore sent forward his sycophants to induce some persons t insinuate that there was no such meeting & sign a paper &c to that effect. Thi being published produced a reply which I think has sufficiently exposed him an his pitiful manœuvre. Since I have written the above I find I cannot procure th paper with the signatures for a few days, but will enclose it in the duplicate.

R. T.

No. 44.—JUDGE THORPE TO EDWARD COOKE.

Canadian Archives, Series Q., Vol. 310, p. 321.)

(Private.)

Dear Sir,—I lament being obliged to trouble you on my own affairs, but I hav just heard that my bills drawn last January are protested on account of some for being omitted in the Certificate, which never was declared to be necessary until la May. How was I to know anything of this, and the misery it may accumulate o me and my family no one can tell, for it will ruin my credit, and the expence will b very heavy. There will be ten per cent charges, six per cent interest protests an postage, besides three per cent loss on each set of bills by exchange; I never hav received a shilling by any fee, I have been cheated out of three hundred pds Circu Money. I never have had one acre of Land, I am not able to send my children school, for I declare to God in this expensive place without a house or anything my own, I am scarcely able to clothe & support my family, yet I have given up m profession & thought to be happy & affluent in America, yet I toil for ever and becau I will not join with these rapacious oppressive wretches, and ask them for favou I am driven to every difficulty here and annoyance heaped on me from home.

I am Dr. Sir, truly your distressed
& grateful humble servant
ROBT. THORPE.

Sept 20th 1807.

No. 45.—LIEUT. GOVERNOR GORE TO GEORGE WATSON.

YORK, UPPER CANADA
4th October, 1807.

MY DEAR WATSON,—Not having heard from you since the 14th April last, I am most induced to suspect that some of our democratic faction have found means to intercept my letters; however as Mr. Justice Powell is daily expected, I trust my anxiety will be relieved by his arrival, and that I shall have the satisfaction to learn that my friends in England, whom I dearly value and respect are well and happy.

I now avail myself of the opportunity offer'd by a Lieut. Erskine of the 6th Regiment going to England to write to you, and as I consider the conveyance safe, I shall perhaps enter into my situation here, and that of this province more at length, than I should venture to do by the usual mode of communication; leaving it to your discretion to communicate such parts of my letter to our mutual friends, as you may deem prudent, but with this caution, that if my private communications are not made with reserve, they will find their way back to this country.

Soon after the receipt of the anonymous letter (a copy of which I sent to you) from New York, I received information from a merchant of respectability residing there, fully corroborating the statement made by the writer of that letter. In consequence of which, I dispatch'd a confidential agent to the United States, to obtain information and watch the motions of a party formed in this province and connected with United Irishmen in America, to subvert the British Constitution in Canada. This agent has ascertained the connection of Willcocks (Mr. Justice Thorpe's editor) with Emmett and some of the Republicans in New York, but they conduct the affairs with such caution, that it is impossible as yet, to convict any of the parties here.

The venality of the American postmasters made it an easy matter for the agent employ'd to procure a sight of letters address'd to the parties in this Country, although Mr. Thorpe had the precaution to direct all letters for him, to be put under several covers to other people, I received information of his scheme.

The Letters No. 1 and 2 from Mr. Wyatt to Mr. Thorpe and Mr. Baldwin were copied in America and sent to me in cypher. As these letters, however the writer's vanity and folly may appear to you, concern me personally, I transmit them to you, in the confident hope, that I have friends in England, who will not admit of my being beat down by falsehood; because Mr. Wyatt may have interest at Court and with Lord Wellesley. I can conscientiously declare, that I have been actuated by no personal motives. I have had the King's Interest only at Heart, and that I have and ever will contend against Democratic principles.

The newspaper, alluded to in the informations from New York, has commenced its operations, this paper is distributed gratis through the country, the violent abuse of the Government & the personal attacks, are notoriously believed to be the productions of Mr. Justice Thorpe, and altho' every man in the country is convinced in his own mind of the fact & a combination of various circumstances reduce it to a moral certainty, yet we have not proof enough to establish it in a Court of Justice. A series of Letters signed A Loyalist are Mr. T's, who was weak enough before the first of them made its appearance, to shew the manuscript copy to some of his Friends. I fear I cannot procure a series of these papers to send to you, indeed if I could, so much explanation would be necessary to make you understand them, that I have not time by Mr. Erskine to enter into them.

That Mr. Thorpe is supported I have little doubt, his obtaining money from the most suspicious characters justifies me in making this conclusion (No. 3).

Mr. Wyatt's wife was so much alarm'd at the lengths Mr. Thorpe had urged her husband to go to, that she secretly afforded information (No. 4), the information relative to the printer is perfectly correct, Mr. Thorpe having sent many messages by the United Irishman Willcocks, to induce him to leave the service of Government and print for the people, and that his influence wou'd procure him two thousand subscribers. His boast of upsetting the Government of Prince Edward Island he has made to many.

That Government will have reason to repent of not having before now come to a decision relative to that worthy man I have no doubt. In March last, I press'd for instructions but am left entirely to my own discretion. I cannot help feeling this, not as a private character, but for the sake of the King's Government, which by this man and his party, have been constantly held up to the people as wicked, oppressive and contemptible; in this general censure and abuse, are included the administration of Generals Simcoe and Hunter. Altho' Mr. Wyatt states to his friend that Mr. Thorpe is suspended, yet till I receive official notification of this event, I cannot of course notice it. This suspension I fear will not have the desired effect. Mr. T. is deeply in debt and has conducted himself in such a shameful manner towards his creditors, that they are *inexorable*. I fear he cannot leave the province (to me it is a matter of perfect indifference what becomes of him so that we can be relieved). It is melancholy to reflect, that the fate of this man will be attended by misery and want, such indeed is generally the consequenc and end of the Factious schemes of Demagogues.

If Mr. Thorpe can make his escape from the numerous creditors that are besetting him, I have no doubt of his taking to England an address signed by every disaffected person in the province.

Do not conceive that I am apprehensive as to my own conduct. Whatever representations I have felt it my duty to transmit to the Secretary of State, relative to the conduct of a dangerous Faction in this country; those representations I have accompanied by documents to substantiate my statements. I do not look for the support of Govrent at Home as a matter of favour or Interest. The King's interest shall never be invaded, while I am intrusted with his Commission. I cannot refrain from giving you an anecdote, respecting the Democratic views of Mr. Thorpe and his party—the last interview this worthy Gentleman had with me, was on some agricultural business; on the subject of Hemp we had a long discussion. He then said *We* (this was before he was in the House of Assembly) shall prepare a Bill for the House of Assembly to dispose of certain Lands and that the moneys arising from these sales should be appropriated *by the House* to particular purposes. I told Mr. Thorpe that as I considered myself the guardian of the King's property, that the Democratic part of the Constitution should never, while I had the honour to administer the Government, assume a power that the Constitution had not invested it with. During Mr. President Grant's Administration, this party urged the House of Assembly to the most unconstitutional assumption of power, even impressing on their minds that they were paramount in the Government. You need not be surprized that when two officers of the Crown hold such language, that ignorant men may be deceived (No. 5). During the last Session, notwithstanding Mr. Thorpe's violent opposition every measure was carried that I wished. I took care that the House of Assembly should be made acquainted with my determination to resist them, if they attempted to assume to themselves improper authority.

If Mr. T. returns to England, I wish Cooke wou'd put a few leading questions to him, whether he caus'd the addresses and answers from the Juries to be inserted in the newspapers. I wish Cooke to put this question to him, as if he supposed they got into the papers without his knowledge. I have Mr. Thorpe's letters now in my possession ordering these addresses to be presented.

I now must beg of you to write to me freely & give me your opinion, and notwithstanding every point I wish may by this time be adjusted in England, I wish *for your opinion*, and if possible for others who are friends to both of us, it may be of real benefit to me by guiding me, if hereafter I should have to contend with similar cases of difficulty.

Respecting Mr. Wyatt's suspension, I did certainly regret that there was a necessity of my being forced by him to take such a step. His positive resistance of authority, left no option for me. It was a trial of strength between *the parties*—that is the Government and Messrs Thorpe & Wyatt.

You will perceive by Mr. Wyatt's last letter, that he is anxious to make it appear that he is not connected with Mr. Thorpe in an opposition to the authority of Government. The plan that Mr. T. proposed to Wyatt, was to prosecute me in England

nd a Middlesex Jury would amply repay, for which purpose I conceive he is exerting himself, and *his great Interests* to procure copies of my dispatches.

Should any of the events which have been passing in Upper Canada be mentioned to Lord Camden, I am sure he will put the most favourable construction he can on the part I have been obliged to take; you know how much I respect his opinion, and that I am ever anxious to conduct myself in such a manner, as not to forfeit his friendship.

I have so little time, that I cannot enter into our relative situations with the United States; excepting from the newspapers I have little information, and you will hear with astonishment that neither Mr. President Dunn nor myself have received any communications from our Minister at Washington.

The Indians are decidedly in favour of the British and I have been under considerable apprehensions of their taking up the Hatchet against the Long Knives (Americans). I have instructed the Superintendents to restrain them, at the same time to conciliate them as much as possible. I can assure you that these Gentlemen are no insignificant allies.

Mrs. Gore is quite well, notwithstanding we have had a very sickly season. An Influenza has spread over the whole Continent of America, and frequently terminating in a dangerous fever.

General Moreau some time since wish'd to visit the falls of Niagara, and sounded some gentlemen at New York, as to the chance of my permitting him to do so. Should he *now* make his appearance I shall send him to England, it is generally supposed that he is intriguing with Mr. Jefferson.

I hope to hear a good account of all the Arlington Street family. I have not written to Lord C. lately. I really am afraid of appearing too intrusive. I have every reason on earth to be grateful to Lord C. and however anxious I am to get to the Lower Province (but Halifax above all should a vacancy happen) yet I cannot write to him on the subject.

What is become of our Attorney General, he was to have left England in June. Conceive to yourself how I am situated at present, the Chief Justice in the Circuit, no Attorney General, from the illness of two of our Counsellers I cannot have even the advice and assistance of the Executive Council, and surrounded by Factious characters, taking every advantage of the weakness of the Government.

Notwithstanding all my embarrassments I am well & happy, and I fear from the length of this letter, you will regret I had not a touch of the gout in my right hand.

Adieu my Dear Watson, Affy Yours

F. G.

(*Separate.*) Whatever I have written in the accompanying sheets, I mean that you shall consider for me, and if you think the whole or any part worth communicating to any of our friends, of course you will use your discretion. I do not like to talk of myself, but I am sure you will believe me, when I solemnly assure you, that I have not exaggerated any one thing, that I have resisted the advice and wishes of every man of property in U. C. by not having long since suspended Mr. Thorpe. The Merchants at Montreal and this place wanted to bring his swindling transactions before me, which I have resisted because it should not be supposed I had any sort of interference with his private transactions, however wicked they may be.

Do not think I forget my friend George, indeed I hear so seldom from you, that I know not what he is doing. If ever I see him again, he will make me feel old. I wish to God I could get a seat near you on the *Excise Bench*. Of my situation here I do not like to write all I think. Sedition is gaining ground faster than I apprehended. Mr. T's agents are over the Country getting signatures to addresses two months after such addresses were supposed to be presented to him; in short I am in most awkward and embarrassing situation; at present I have no one to advise with. Lose no time in exerting yourself to get me out of this province, I even wish some other person might be sent who the administration may have a good opinion of.

I think it would be possible to get me to Quebec, anything would be better, for all my trouble and anxiety of mind to do what is right, I have nothing to compensate me, no society & my income not adequate to the situation.

I hope Cherry F's affairs are settl'd and that the House of Farquhar are as well and happy as we wish them.

Adieu my dear W.

Affly. F. G.

Enclosures.

No. 1.—C. B. Wyatt to Judge Thorpe.

(*p.* 344.)

(The figures in parenthesis refer to the "Remarks" which follow this letter.)

Dublin May 19th.

My Dear Sir,—At the time I left Upper Canada, I had little idea of visiting Halifax or this place; my passage from the United States has been unavoidably tardy and expensive. I however took every precaution which I conceived best calculated to prevent any decision on the part of Ministers, unfavourable to the object of my undertaking, by letters to my friends which appear to have succeeded. I arrived in London yesterday week, found my Father absent &c. and my Brother on whose Judgment and Interference you know I much depend, starting for sweet Ireland; he has at present the situation of private Secretary to Sir Arthur Wellesley, who is Chief Secretary of State; my Brother has had an Interview with Lords Castlereagh, Sidmouth, Wellesley and other great men, who promised me every Justice. I am therefore inclined to think, there can be no doubt of my success, the former is Secretary of State in Windham's place, to whom I can get free access, I am persuaded, thro' various channels, on the best footing I could wish. Lord Wellesley who received three messages from His Majesty at the time of the late charges, calling him to the office of prime Minister, two of which from motives of delicacy his Lordship rejected. The third he complied with, was actually appointed, had appointed my Brother his Secretary but afterwards resign'd. It is equally understood that he is to come into administration, as that it is his intention so to do, and has promised my Brother to engage your friend Cooke (1) now Under Secretary of State, with whom he is particularly friendly and intimate, in my interests; Mr. Henry Wellesley has also promised to exert himself for our success; he is one of the Secretarys of the Treasury: I am therefore of opinion, that I command together with my Father's Intimacy with the Duke of Portland and connections at Court, a hearing upon as good grounds as we (2) could wish, and I think you will not think me too sanguine, acquainted as you are with the politicks of Upper Canada, in an idea entertained of being able to raise sufficient Interest to secure an honourable triumph in the cause in which some of us are engag'd. I am now re-iding with my Brother in a very handsome and spacious apartment in the Castle of Dublin for the purpose of communicating to him the matter I possess in support of the conduct both of yourself and me, as connected with the mutual interests of Upper Canada and England, and fixing in cooperation with him and I trust Sir Thomas Featherston the best plan for me to pursue. I thought it best so to do, particularly as I apprehend no injury to the cause, by a short delay upon my part. I send you a copy of my letter to Sir Thomas F. who I am determined to rouse into activity as well as a sketch of the plan I mean to pursue, that you may anticipate the victory. I am persuaded we must succeed, and even aspire to some favourable changes for yourself and me. I believe Mr. Stanley has gone to the Prince of Wales's Island (4). If I am not too late, I shall endeavour to provide a good Attorney General in his place. When my Brother had last an interview with Lord Castlereagh upon my business, Lord Castlereagh told him in the course of conversation that he had just referred a large mass of papers to the Chancellor which conceive must probably have been relative to the establishment of a Court of Equity, so much requir'd in Upper Canada (5). I shall make every possible exertion for your Interest in that arrangement, you may rest assured, as well as upon every occasion when I have an opportunity from the official documents I have already shewn to my Brother, relative to Upper Canada, and what I have been able to state upon the same subject, he seems to think with me, that some characters of distinction, with whom I am engaged

damned Rascals, and that nothing but mismanagement can endanger my cause. cannot be difficult for me to shew, the fatal effects of the continuance of the etched system that prevails in the American Colonies (6) and that the Interests Individuals and the public have been sacrificed indiscriminately at the shrine of rbitrary Imposition, and of mistaken power. I shall, you may depend, exhibit a illiant (7) picture, shewing how the intentions of Government, the beneficient romise of the Sovereign, has been sacrificed with respect to the Loyalists and oldiers who have served in the war, with regard to the Implements of Agriculture rovided for their use, how that business has been abus'd (8), the abuses in the larine and Indian Departments, the dissatisfaction of the Five Nations, the Infringeent on the Freedom of Election, the approach of power in the Courts of Justice; he London Address, while private Interest has been regarded. With regard to our Weekes's affairs I am fearful from the agitated state of my mind at the time I uitted Upper Canada, I might not have attended so much to that concern, as I hould otherwise have done. I beg the favour of you to consult Baldwin upon the ubject, and if there is any sum due from me to the Estate (10) which he cannot rovide for, either with the money of mine in Mosley's hands, or by other means et him draw upon me for the amount, and I should be obliged to you if you will comunicate with Mackay, or whoever is the proper authority relative to the disposal f the House, Library &c., which I am of opinion should be sold. It is not my ntention at this time to write you a long letter & shall therefore only add, that ith regard to the frantic and unaccountable behaviour of Mrs. W., his wife, the erturbation of my mind at the time of my leaving U.C. will be more convinced han I can describe its effect, and indeed I am only now begining to hope, that the mproprieties and the memory of the past will stand contrasted with an opposite ne of conduct and with the felicity of future engagements. I beg you will remember e kindly to Mrs. G., and the rest of that family. Write me by an early opportunity. shall now beg leave to draw your attention to the accompanying memorandum, ntended to guide my statement to Lord Sidmouth and many other high persons in his Country. The preamble of that paper is intended to be deliver'd in the form f a speech. The following charges and effects, I flatter myself I can most disinctly prove without difficulty and if I am not sufficiently led into your case, by hat is there exhibited, you may depend all matters relative to yourself shall be ircumstantial (11), all I shall ask of your friends will be to state their knowledge, s a man of abilities, Integrity and honour which Mr. Sneyd was induc'd to think ill be desired. I have fallen in with him by chance in this place, making a point f communicating to him everything in a most candid manner, he thinks well of the ause and will do all he can. Lord Ross, late Sir L. Parsons, is expected here ourly, I intend to obtain his influence, if possible, in short I can venture to give ou cheerful hopes I see my way so clearly. God bless you, you shall hear again rom me soon and tell Mrs. G., her letters I deliver'd myself in Dublin. Dr. Richardon was very civil to me, to whose care Miss —— letter was addressed. I am very nxious to see all again in health and happiness; you will probably shew this comunication to Baldwin & his family, they are worthy good people, and you may tell im that if it is in my power to serve him (12) (he had little to expect from Lord arleton) he may depend on my not forgetting to exert myself for his benefit. ourself, Baldwin, his family (but one) J. W.(13) one or two more and Sam Ridout feel the warmest interest in the welfare of. I am enjoying my Bottle in my rother's department, solus, over this scrap, the least I can do therefore is to take humper in remembrance of the worthy part of the community I have left behind me in U. C. God bless you. Adieu for the present.

Believe me &c. &c.

(The papers alluded to were not enclosed.)

Remarks on the preceding Letter.

(p. 342.)

No. 1. Is Cooke a friend of Mr. Thorpe's? I do not believe it.

2. Mr. Wyatt speaks in the plural, you must observe in both the letters. How evidently it appears that he is engaged with a Faction to harass and embarrass the Government.

3. Interest and not Justice, according to Mr. Wyatt's argument, is to obtain the triumph over the Government here.

4. I should suppose from the paragraph that Mr. Wyatt is one of the Secretaries of State.

5. I wish Mr. Wyatt wou'd extend his patronage to me.

6. It appears from this paragraph that not only the system that prevails in Upper Canada is wrong, but in the whole of the American Colonies.

7. This young man is very modest; it puts me in mind of a puppet show. Now you shall see &c.

8. Infamous calumnies that cannot be substantiated.

10. A pretty transaction of Mr. W. as an executor, and for which there are several suits already instituted.

11. Very necessary indeed.

12. More patronage, Mr. Wyatt.

13. J. W. is Joseph Willcocks, an United Irishman, who fled from *Thomas* Street, got on in Upper Canada as a clerk to the Receiver General, was turn'd out by him. Was a sort of upper servant afterwards to Mr. Allcock, who to provide for him got him appointed Sheriff. Was displaced by me and is now the Editor of the Jacobin paper, for which Mr. Thorpe writes.

NOTE. I am ashamed of myself for sending so much nonsense, but I wish you to be made acquainted with the people I have to deal with.

No. 2.—MR. WYATT TO MR. BALDWIN.

(*p.* 352.)

LONDON, FOLEY PLACE,
June 15th, 1807.

DEAR BALDWIN (1),—Since my arrival in this country from Upper Canada, I have been so much engag'd for the success of the controversy with the Government of that province, that I have been unable to attend to other matters of less importance, first I thought it advisable to see my Brother with whom I had chiefly communicated upon subjects alluded to during my residence abroad, whom I found was in Dublin, as Secretary to Sir Arthur Wellesley the Chief Secretary in that Establishment. I therefore set off per mail for Holyhead and was absent with my Brother in Ireland. Since my return I have been strongly recommended to the favourable notice of Lord Castlereagh and the Under Secretary of State in his Department where I have the satisfaction to acquaint you for the information of our friends I have very free access. I had a few days since a long conference in person with Lord Castlereagh upon the subject of the accusation made by the Colonial Government in Upper Canada against Mr. Thorpe & myself and others. I suppose I sat with him nearly two hours. His Lordship's conduct I was much pleased with, tho' he certainly seem'd to favour the Provincial Government which from the tenour of Governor Gore's injurious misrepresentation (2), I was not at all surprised at.

Lord Castlereagh read me very fully those statements and among the rest I perceived Mr. Boulton (3) exhibited as an informer. Lord Castlereagh read to me a written communication from that distinguished character, for the purpose of enabling Governor Gore to state that Thorpe had made positive proposals to the Solicitor General to oppose the Executive Government on the spot, as Mr. Boulton's letter stated he did upon which communication I cou'd not omit to make some personal remarks and Lord Castlereagh has at my request permitted me to furnish him with a written statement of Facts (4). I however think it advisable to hang back for a while for the purpose of obtaining thro' the highest Interest I can make, a copy of the charges made against me by Governor Gore, which I do not hesitate to say are most scandalously false, and when I possess them in such a shape as to preclude the possibility of the Government abroad retreating, I shall take the accusa-

ons separately--from my knowledge of them I am confident I shall be able to fute in the most decided manner, the whole of them. If any body on your side he Water will assist me and speak the truth, I shall have the victory. For your nformation I shall acquaint you with the charges made against me by the Governnent of Upper Canada. That my principles are defective as a loyal subject. That I dismiss'd Mr. Ridout because he voted for Mr. Thorpe (5). That I erased the name of a person from a plan in the Surveyor General's Office and inserted my own *fraudulently* for the purpose of getting a favourable location of land, for which I obtained the Deed (6) and that I *voluntarily* carried my Books to the Provincial Parliament without a summons, for the purpose of exposing the Executive Government (7). With regard to the first accusation it is in general terms only from the manner in which I have been treated as well as the people under me, which I shall have it in my power to shew, alluding to poor Hambly (8) and Stagman who was drowned in the Speedy &c. &c. &c. I shall render it at least probable that the unbecoming (9) opposition has been on the part of His Majesty's Representatives towards me, not as they have stated, to be disaffected, and in general averse to His Majesty's Representative and his measures.

With regard to the second charge, there can be no difficulty as Mr. Ridout had resign'd, a month before the unhappy event occurr'd which occasioned the election, on which occasion Thorpe was a candidate (10), and I have a copy of my letter to Governor Gore dated a month before the Election in question requiring for certain reasons therein specified that Mr. Ridout might be dismiss'd my Office and Mr. Jackson (11) can prove much on this subject.

With regard to the third charge, my letter to you, desiring the matter might be put in arbitration, my letter also to Mr. Clench (11), (who I am much astonish'd at) offering to relinquish my Title in favour of his friend, if really he had any claim, which to this hour I believe he had not, and Jackson having been with me, & Mr. Addison, to Mr. Young, for the purpose of enquiring of him particulars when I told Mr. Young in presence of these Gentlemen that he had no occasion to make himself uneasy about the land if he had any right to possess it, that I would not oppose him a moment. Mr. Young I believe never register'd his claim which by the bye, I wish you would obtain a certificate of, from the Office of the Register of the County in which the lot in question is situated, and send it to me, or did Young ever claim before the Commissioners instituted for such claims to be brought forward, or ever ask for that particular lot of the most consequence to him at the Surveyor General's Office, while he has actually located in that Office 200 acres of land, more than he had ever any order of Council to cover, and with regard to the charge, the Journal of the Provincial Parliament will shew and render me acquitted of that accusation.

The unquestionable grounds of Opposition to me on the part of Government of Upper Canada (12), is my Intimacy and Friendship for Thorpe (13), which in Justification of my steady perseverance against most strenuous exertions of the Government of Upper Canada to induce me to join a combination the most which has been formed by a sett of monopolizing miscreants, whose just merits we know how to estimate, to interrupt his laudable zealous and able exertions to administer Justice in the true spirit of British jurisprudence and assisting Government in ameliorating the conditions of all orders of Society, the highly improbable [*sic*] Upper Canada. Thorpe to my entire satisfaction & positive knowledge, as far as I have had an opportunity to observe, has uniformly distinguish'd himself as a sound lawyer, *a zealous patriot*, a loyal subject, and amiable moral character.

Dissatisfaction neither originates in him or me, but is the natural result of a partial and defective administration.

Thorpe's strenuous efforts since his arrival in Upper Canada have been directed to the reformation of Injuries and abuses, and by a steady adherence to the line of his positive duty it is not difficult to suppose such a man should be look'd up to by an oppressed populace, as a Father, and that his exertions should be repaid by a tribute of gratitude and esteem amongst the people of that province, wherein previously to his time, but little of the mild and benevolent spirit of English Law

Jurisprudence has been experienced (13 *bis*). Under such a system of malvasation as has been adopted, it is not at all surprizing, that the upright and philanthropic Intentions of Thorpe and a few more should have excited the Jealousy, Indignation & Malevolence of the Executive authority upon the spot. I am positive from the experience of two years, that no just grounds of accusation whatever exist against Thorpe either as a public or private character. That Thorpe is not less able than zealous in the Discharge of his Judicial Duties, that he possesses no disposition to oppose the due authority of Government, That he is justly desirous, as I am, of preventing a flagrant and criminal abuse of power and that his anxiety is exclusively directed to the happiness of the people, and the benefit of Upper Canada, as connected with Great Britain.

Thorpe is suspended by Government at Home (14), almost as a matter of course, which as my mouth is easily to be stopped, should I enter upon his case, by the question of "What his affairs concern me"? And besides that such an interference might be construed as a confirmation of our being in a League, which is not the case, for the purpose of opposing the due authority of the legitimate authorities.

It therefore appears to me, that it is of consequence to Thorpe's Interest, That he should come immediately, which I am sorry to suggest, because I know it is a measure that must be attended with a great annoyance to himself and family. If he has not left Upper Canada by the time this may reach you, shew my letter to him, and urge him to do so. I am very confident we may yet triumph with his assistance on the spot.

Sir Thomas Featherston has been with Lord Castlereagh and Mr. Cooke in his behalf, but is not sufficiently master of the Colonial affairs, to advocate Thorpe's cause decidedly, and I am afraid evil consequences might result, if I was to appear too forward. He *must* come. Every thing depends upon it, and if he should think it advisable to leave Mrs. Thorpe and his amiable family, their good sense and your kind attention (15) will I am sure induce them to submit: I wish sincerely he could bring them all with him, but the expense will be very considerable. I shall endeavour to arrange so, that the Government will assist him in the Expense of his passage to England if possible.

With regard to my own affairs, I shall not make them a subject of communication by this opportunity, and I shall esteem it a favour, if you will contrive to procure, and send me as soon as possible, a copy of the Proclamation of the Governor of Upper Canada dated 21st August '95, relative to Tickets and Certificates of Location, to be delivered as therein prescribed, which may be requisite against Young. I also request you would also assist me, by enabling me to prove by the testimony of respectable evidences, that after Governor Gore thought fit to suspend me, he did not hesitate to make favourable mention of my character to various persons upon the spot (17). I am sure Mr. Russell, to whom as well as Miss Russell, I beg you will kindly remember me, told me that Governor Gore had spoken to him of me in the handsomest manner, so did Mr. Jarvis and Small also. If you could get from Jarvis a confirmation to this effect and from the opinion I have formed of his high sense of honour, I am persuaded he will readily afford it, would enable me to show to the Government at Home the probability of Governor Gore's contrary Opinion express'd in his charge to the Minister in this country, being more the result of malevolence (18) and Falsehood than Truth.

Governor Gore's conduct in this business has been most shameful, and I do not despair causing him a passage across the Atlantic. You may however think that in making my assertions I can prove so & so, in support of myself & Thorpe.

I will certainly avoid mentioning the name of any of you abroad, who comfort or interest may be affected by such an exposure, until the result of my assertion shall be made known to me.

Lord Castlereagh has already assur'd Lord Wellesley that justice shall be done That my reputation shall have the fairest consideration here, and That all it contains against the Provincial Government shall be put to the proof in Upper Canada, which last advantage I shall beg to point out the measure by which it shall be done, as

tho' at present Lord Castlereagh seems to side against me, when he has my statement, if I can prove, as I assert I can, Facts in my favour, his judgment would alter.

I am managing to get the Governor as much convicted as possible, before I begin my defence, which I am persuaded will demonstrate Facts, to which I allude in the clearest and most unanswerable form, with regard to my giving up no names of persons, until the result of my assertions shall be known to me, I mean that before the statement I may make shall be admitted as proof, in the event of my substantiating it, I will withhold names for the purposes I have mentioned.

Governor Gore has mention'd that I was unable to manage my office, and that I left it in the greatest confusion, in which I believe, unless Chewett and Ridout join Governor Gore he will be unsupported (19).

Sam Ridout is an honourable fellow, and from the good opinion I entertain of his ability & strict Integrity, I should be very happy to do him any service in my power. Shew him the state of affairs to which this letter alludes & consult him how far I may reckon on his support. If I should wish to consult him, which I do not know I shall have occasion to do, nor do I intend it for his sake; he may however privately in your confidence, assist in directing the enquiry of certain official matters, to which I may refer, in the Surveyor General's Office, and I wish particularly you would obtain from him, and other persons, information relative to names having been often removed from the plans in the Surveyor General's Office in favour of certain persons (20). It occurs to me, that a lot given by the President Grant to Allan, a lot also given to Chief Justice Allcock formerly located by one Cozens, and there was some lot, in similar circumstances, given by General Hunter to Mr. Chewitt; it will answer my purpose, if you will only furnish me with sufficient information, to state the circumstances of those cases, as tho' I was possess'd of that knowledge from my official capacity upon the spot in Upper Canada, which will I am sure prove there is nothing irregular in putting one person's name on the map in lieu of another, when no difficulty appears, and give me every [help] which may occur to you as being useful in a cause, you know as well as I do from the best of motives. We all think alike of the oppressive ruinous measures of a certain clan in Upper Canada; and it is the common cause. We are all well wishers to, to assist in defeating their tyranny & base misrepresentations of those who do not deserve such treatment (21). I will never desert the good cause while I live, or any worthy fellow of my friends in Upper Canada.

I shall upon all occasions you may rest assur'd feel the warmest impulse to promote the interests of yourself, Sam Ridout, the Sheriff &c. &c. and those objects will be uppermost in my thoughts.

I find there is an opportunity for your part of the world tomorrow, which obliges me to close this letter, rather abruptly. In the meantime I beg my kindest remembrance to Mrs. Baldwin, Mr. & Mrs. Willcocks and the rest of their worthy family, as well as to all friends, tell Lawyer Stewart that he shall hear from me soon relative to the business I have to do for him in England & believe me to be my dear sir,

Your faithful friend & obedient servant,

C. B. WYATT.

If there are any claims against me, which I do not suppose there can, or you require any money, draw upon me and ascertain what Young has to show, either in writing or otherwise, for his claim to lot 161 &c. &c. Pray write me without delay affording me all the aid you can to defeat the Rascally attempts of certain personages, which I am confident I shall ultimately do. God bless you, and I wish you would send me a written statement from the Receiver General showing what sums have been paid by him to D. W. Smith as Surveyor General since the month of June 1784,* to the time of my arrival in Upper Canada. I heard of a case where the land of Harriston some where up Yonge Street were given to Colonel Ryerson,

*D. W. Smith was appointed Surveyor General of Upper Canada in 1792, with the pay of a sub-surveyor, the appointment having been made by Simcoe, subject to the King's decision. See Smith's Journal, Series C., Vol. 77, p. 44. The date—1784—is probably an error for 1794.

knowing the former to have improved the same, relative to which I request you will send me particulars. I think this case will shew oppression, and will be useful against Young.

REMARKS ON THE FOREGOING LETTER.

(*p.* 352.)

(1). An Irishman, ready to join any party to make confusion.

(2). The representations are facts, disobedience of a positive order from the Lt. Gov., denying his authority &c. &c. &c.

(3). Mr. Boulton is Solicitor General, & during the absence of the Attorney General acts as such.

Everybody who presumes to oppose the wicked plans of Mr. Thorpe and Mr. Wyatt are stygmatized by these Gentlemen, as Rascals & Lyars. Mr. B. was the friend of Mr. W. for about a year, but from W's violent conduct, he was obliged to give up the acquaintance.

(4). Mr. Wyatt was advised by Mr. Thorpe to prosecute me on my arrival in England, for suspending him, assuring him that a Middlesex Jury would amply repay Mr. W. I conceive it is for this purpose Mr. W. will exert himself to procure official copies of my dispatches.

(5). Mr. Wyatt here betrays himself. I never did state that he dismissed Mr. Ridout for voting for Mr. Thorpe, altho' it is notoriously believed it was for that offence, as the attempt at *dismissal* was made the morning after Mr. Ridout voted.

(6). This is easily proved.

(7). This is proved by a letter from the Clerk of the House of Assembly to my Secretary.

(8). Hambly's account cou'd not be passed the audit, for want of vouchers.

(9). This is a new case to me; the Governments *unbecoming opposition to one of its servants* requires no comment.

(10). Mr. Ridout from the ill usage he recd. from Mr. W. wish'd to leave the office. But when he found I protected him from ill usage and wish'd him to continue in the office, that the Public Business might not be at a stand, he comply'd.

(11). This Mr. Jackson is a seditious character, who in the public streets reminded the people of Charles the 1st's fate &c. &c.

(12). Mr. Church declar'd to me that Mr. Wyatt was a swindling Rascal. All this business can be easily proved.

A Surveyor General whose peculiar duty it is to prevent frauds, is the first to eraze the name of a person from the plan in his office & insert his own. Does this circumstance require any further remark?

(12). Opposition on the part of Govern't. to the Surveyor General!!!

(13). In two or three private audiences I permitted Mr. Wyatt to have with me, I certainly endeavoured to point out to him in as forcible a manner as I possibly could do, the indecency and impropriety of a servant of the Crown joining a factious opposition to the King's Government. I assured him that if he could detach himself from a party that would in the end sacrifice him, that from me he should receive every attention. I had very strong motives to induce me to pay a favourable attention to his wishes. I mentioned to him, what a gratifying circumstance it would be to me to have it in my power to repay thro' him obligations I felt myself under to Ld. Sidmouth, who had appointed him to his present situation. Of course these conversations were betray'd by Mr. W. and every injurious and vulgar construction was put on my attempts by Mr. Thorpe & Mr. W.

(13 *bis*). The impudent assertions in this paragraph are beneath notice. Are such men as Chief Justice Osgoode, C. J. Elmsley, C. J. Allcock to be treated in this manner?

(14). If Mr. Thorpe is suspended by the Govt. at home, this is the only intimation of it.

(15). This Mr. Baldwin & the Judge do not speak to each other, the worthy Judge having swindled his countryman.

(16). What do you think of this paragraph?

(17). I never had a favourable opinion of Mr. Wyatt.

(18). I know so little of Mr. W. that I could not harbour any malice against him.

(19). It was from my own observation & the statements of Messrs. Chewett & Ridout that I made this statement.

(20). Supposing my predecessors in Office had granted Locations of Land improperly, does it follow that I am to do the same? The Surveyor General has neither power nor authority to locate lands; it rests with the Lt. Gov. If the Sur. General had the power & such a Surveyor General as Mr. W., the situation (from bribery) would be worth 2 or 3 thousand a year.

(21). The good cause means anarchy & Republicanism.

WYATT'S CORRESPONDENCE WITH THE COLONIAL OFFICE.

(*A supplement to Wyatt's letters to Thorpe and Baldwin, 1 and 2 of number 45, in Series Q., Vol. 310; the page follows each document.*)

(*a*) C. B. WYATT TO LORD CASTLEREAGH.

(p. 159.)

FOLEY PLACE June 8th 1807.

MY LORD,—As it is impossible for me to have retained the precise extent of the charges which have been made against me by the Government of Upper Canada from the conversation which took place between Your Lordship and me on Saturday last, I trust Your Lordship will direct a copy of the specific accusation to which I have alluded, to be furnished me in order that I may make such sort of defence as shall be calculated to preclude the stigma which must at present justly attach to my character in Your Lordship's mind, thereby enabling Your Lordship to form a correct Judgment as to the motives and principles which have actuated my conduct in Upper Canada.

I have the honour to be,
Your Lordship's most obedient Humble servant,
C. B. WYATT.

(*b*) C. B. WYATT TO LORD CASTLEREAGH.

(p. 164.)

FOLEY PLACE June 27th 1807.

MY LORD,—It is with the greatest reluctance that I venture again to trespass on Your Lordship's time; having however applied without success to Mr. Cooke for certain Documents which I considered indispensible to the vindication of my character against the charge brought forward by Mr. Gore, I feel myself under the necessity of soliciting Your Lordship's attention to my wishes in this respect. The charges alledged against me attach most seriously to the integrity of my private character, as well as to the propriety of my public conduct; and Your Lordship will therefore not be surprised that it should be matter of great anxiety in me to refute those charges to the entire and satisfactory conviction of the higher authorities under whose control I have acted. In order to do that, It is obviously indispensible that I should be in possession of the precise form of the charges themselves, & I therefore entreat that Your Lordship will have the goodness to order that I may be furnished with a copy *verbatim* of such parts of any of Mr. Gore's letters, as constitute charges against my character either in my public or private capacity. The accompanying memorandum may serve as a guide and save your Lordship some trouble in issuing the order which I have referred to; I rely on Your Lordship's candour and Justice to suspend your final Judgement on these charges untill I shall have had a fair opportunity of submitting to you my defence, and I entertain the fullest confidence that I shall abundantly able to satisfy Your Lordship that *every* accusation which has been alleged against me, is *totally without foundation*, and that my conduct in America has never been in one instance deserving the censure of Government.

I have to be My Lord,
Your Lordship's most obedient humble servant,
C. B. WYATT.

(*c*) MEMORANDUM ATTACHED.

(*p.* 167.)

A copy verbatim of charges made against Mr. Wyatt by the Government of Upper Canada.

Namely first, that relating to Mr. Wyatt, having carried the books of the Surveyor General's Office before the Provincial Parliament.

Secondly, That relating to Mr. Wyatt's having persisted in the dismissal of the Chief Clerk in his office, because that clerk voted at an election contrary to Mr. Wyatt's wishes.

Thirdly, That respecting Mr. Wyatt's conduct as being in general adverse to His Majesty's representative and his measures; and stating that Mr. Wyatt was engaged with persons, who are encouraging disaffection to Government amongst the people of the province.

Fourthly, That respecting Mr. Wyatt to have fraudulently erased the name of a person in the Surveyor General's Office, who was settled and had made improvements in a favourable location of Land for the purpose of obtaining possession of the same for his own use & advantage.

(*d*) C. B. WYATT TO EDWARD COOKE.

(*p.* 169.)

FOLEY PLACE July 7, 1807.

SIR,—I have to acknowledge the receipt of your letter of the 2nd Instant. shall lose no time in submitting to Lord Castlereagh such evidence and observations as I have to offer in defence of my conduct upon the two charges referred to in your letter, but I hope that his Lordship will not put any unfavourable constructions upon my silence, if I should be obliged to delay that communication 5 or days longer. I have many papers to arrange upon the subject, and I do not feel that I can proceed so promptly and effectually in my defence against the partial and indefinite accusations of which I am in possession, as if I had been made acquainted with the precise items of charge alleged against me by the Provincial Government. Upon this ground I hope for his Lordship's indulgence in allowing me the time mentioned to prepare my defence and in referring to its real source any deficiency of evidence, which may arise on my part from my not being better acquainted with the precise articles of accusations set forth by Mr. Gore against me.

I have the honour to be, Sir,
Your most obedient humble servant
C. B. WYATT.

(*e*) C. B. WYATT TO LORD CASTLEREAGH.

(*p.* 196.)

FOLEY PLACE July 27th, 1807.

MY LORD,—Finding from Mr. Cooke's letter to me of the 2nd instant that it is your Lordship's pleasure that I should make me defence upon the two charges stated to me in a former letter from Mr. Cooke, previously to receiving a copy of the other charges which have been exhibited against me by the Government of Upper Canada, I shall no longer delay to furnish your Lordship with such observations and evidence as I have to offer upon these two points. I however feel that I shall be subject to more difficulty in compleatly refuting partial accusations, than I should in exculpating myself against the whole of Mr. Gore's charges; I am persuaded that it is abundantly in my power to refute any charge which Mr. Gore may bring against me in a distinct and precise form, and that I am in possession of very sufficient evidence to vindicate my character against all such accusations as I have the least reason from what had passed between Mr. Gore and me, to suppose might be alleged against me on my arrival in England. The two charges however which I am now called upon to refute do not come under either of those descriptions, they

e namely that concerning the erasure of a man's name from the map in the Sur-
yor General's Department for the purpose of fraudulently inserting my own, rests
pon transactions which never had been mentioned as matter of complaint during
y residence at York, which I had no reason whatever to imagine could possibly be
rmed into an article of crimination against me, which has evidently been fabricated
ith the most malicious designs after I had quitted the Province, and consequently
hich I am not so well prepared with evidence to refute as I should certainly have
en had I ever adverted to the possibility of so unjust and malevolent a design being
the contemplation of my accusers.

I am willing to suppose that Mr. Gore has been totally misled upon this subject, by several persons whose sinister designs had led them to misrepresent to the Lieutenant Governor every circumstance connected with the case. Your Lordship however after reading my narrative of the transactions will I have no doubt be convinced that no blame can be justly attached to me in the business; and will of course exercise your own Judgement in ascribing to those who may appear to merit it, the stigma of having fabricated a most nefarious calumny for the purpose of injuring my character and of aiding their own views.

Notwithstanding the difficulty which I apprehend in making my defence, from not having been at all apprized that such a charge was likely to be advanced against me, I do not despair of proving to Your Lordship's conviction that this charge is a groundless calumny. The other of the two charges in question, namely, that of general opposition to the Provincial Government, is so very vague and indefinite that from the very nature of that charge it cannot be easy to refute it. If particular instances of opposition were distinctly stated by Mr. Gore, I should have no difficulty in answering them by precise explanation and circumstantial evidence, but it must be evident to Your Lorship that I cannot easily bring before you such a view of my general character and principles as to prove to you that I am incapable of acting upon the motives ascribed to me in this general and indefinite accusation; and without such a view of my character I know not how the charge can be refuted, unless Your Lordship should be of opinion that a charge of that nature ought to be considered as invalid if it be not supported by a specification of the facts upon which it is founded. If it were accompanied by such a specification of facts I am confident that I could not have any difficulty in totally exculpating myself against it.

Relying on the Justice of my cause, as well as on the impartiality of your Lorship, I feel a confidence that in opposition to every difficulty I shall succeed in satisfying Your Lordship that my character has been much misrepresented to you as well as to Mr. Gore, and that I have not acted upon any principles unbecoming a loyal subject and a faithful public servant, or at least that my statements will be sufficient to induce your Lordship to suspend your final judgement upon the subject until you shall receive more conclusive evidence, and in defect of such evidence that you will consider me intitled to an unqualified acquittal. With respect to the first of the two charges above mentioned I beg leave to draw your Lordship's attention to the following facts.

Some time after my arrival in Canada I applied to the Government for a grant of 1200 acres of Land, a privilege usually allowed to the Civil Officers of the Colony; the grant was immediately made to me as a matter of course, and I was accordingly at liberty, subject to the Governor's sanction, to locate any vacant spot which I might prefer. It was my wish to locate a portion of the above grant in the neighbourhood of Niagara, and I accordingly referred to the Register, called the Doomsday Book and other Records in my office in order to ascertain whether there was any land in that situation unoccupied, which would answer my purpose. I referred to my chief clerk, Mr. Ridout, on this occasion, and he was the person who first pointed out to me the spot of ground which forms the basis of the charge against me, saying that although the name of Shubel Welton had been entered on the map as proprietor of that spot (above one hundred acres in extent) no patent had been ever issued for that grant and that he Mr. Ridout had reason to believe that no such person as Shubel Welton existed in the province of Upper Canada, and that there was no legal impediment whatever to my possessing the land in

question if I thought proper to apply to Mr. President Grant for permission to era the name of Shubel Welton and substitute my own in lieu of it.

Adverting to the experience and local knowledge of my chief clerk wit regard to the practice in similar cases, I should I think have been justified i adopting his suggestion; but before I made any such application to Mr. Presiden Grant, I previously adopted the precaution of writing to Mr. Robert Hamilton, on of the Legislative Counsellors of the Province and Lieutenant of the County i which the spot of Land in question is situated, to inquire whether he could give me any information upon the subject; supposing that his long residence as a Magistrate in that part of the County and his intimate knowledge of most of its inhabitants, must render him peculiarly competent to furnish me with the information which I wished for. Mr. Hamilton in reply to my reference stated to me that my letter had arrived at a moment extremely favourable to the inquiry which I wished him to make, for that he was at the time engaged on the Quarter Sessions, and was surrounded by persons from all parts of the District, that he had availed himself of their presence to question them upon the subject which I had referred to him, and that the result of his inquiry was that no such person as Shubel Welton appeared to be known in the neighbourhood and that if such a person had even resided in that part of the Country, that to Mr. Hamilton's own positive knowledge had not been there within the last 12 or 14 years.

Under these circumstances I felt no hesitation in stating the foregoing particulars to Mr. President Grant, who in compliance to my request allowed me to appropriate the spot in question to my own use.

It may be right to state in this place that the correspondence between Mr. Hamilton and me upon this subject is recorded in my office at York, but as I had no reason whatever to conjecture that these papers could ever be necessary to me in this Country, I am not prepared to forward copies of them to your Lordship with this letter.

I received Mr. Grant's permission notified to me officially to assume the land in question, and I accordingly took possession of it. Soon after my patent for this portion of Land was issued, I heard through some indirect channel a vague Report that there was another claimant, who asserted that he had a mortgage upon that property. As soon as this Report reached me, I determined to take the first opportunity of ascertaining the foundation upon which it rested, and I accordingly in a few days set out on Horseback in company with Mr. Jackson, a gentleman of respectability, an elder Brother to the present Member for Southampton, to Niagara (a distance of a hundred miles) in order to investigate the title of the reported claimant, and upon my arrival on the spot I found a person of the name of Young, who contended that the property in question had been mortgaged to him, but who acknowledged that he had no formal instrument in writing to testify the truth of his assertion. After a full and impartial inquiry upon the spot by Mr. Jackson, the clergyman of the parish and myself, we were all satisfied that Mr. Young had no right whatever to the Land which he claimed. I however then told him in the most distinct and positive manner that if he could by any fair means make it appear that he had really a just claim to the land, I would without the least hesitation relinquish it in his favour; and in confirmation of my assertion on this part of the business, I beg leave to refer your Lordship to an extract from a letter on the subject marked A (which I have lately received from Mr. Jackson, who is now in England) I wish to draw your Lordship's particular attention to this Letter, as it goes to prove how much trouble I took to ascertain the nature of Mr. Young's claim and how little I was disposed to retain the Land provided Mr. Young could substantiate his title to it.

In order to describe to your Lordship more fully the reason why I am most decidedly of opinion, that Mr. Young has no valid claims whatever to the land alluded to, it may be useful to advert to the following circumstances.

In the year 1795 a proclamation was issued by the Provincial Government requiring that all persons having claims to certain Lands should within a given period produce their claims and take out their patents for the same, or that in the

event of their failing to do so, the land to which they might have been before entitled should be considered as no longer theirs and would be otherwise disposed of as the Government might think proper. It is certain that neither Shubel Welton nor Mr. Young, the pretended mortgagee, ever attended to the notice contained in this proclamation, or applied for a patent to be prepared in their favour, and it was equally certain that this omission on their part was sufficient to cancel any former pretensions which either of them might have had to this lot of land, even if any evidence could now be produced in proof that such pretensions had originally existed, but I have not been able to trace any symptom whatever of such pretensions ever having been entertained by either of the parties in question.

In addition to this fact which appears to me to constitute conclusive evidence against Mr. Young's present claim, it is worthy of remark that although Mr. Young has irregularly and without any legal authority located in his own name 200 acres of land more than he ever received a grant for, he did not attempt to include the lot in dispute between him and me, although it is impossible that he could have been ignorant of the necessity of having his name substituted for that of Welton in the Official Register, before he could be legally considered as the proprietor of the lot.

In the course of the conversation which passed between Mr. Young and me, Mr. Young mentioned the name of a Mr. Clinch, a gentleman who he said lived in the neighbourhood of Niagara and who could give me some information relative to the claim. It was not in my power to see Mr. Clinch before he returned to York, but on my arrival there I wrote to him a letter of which I now enclose a copy B.

I however did not receive any answer whatever from Mr. Clinch, although I remained at York several months after my reference to him.

After I had quitted York, on my return to England a letter was sent after me by Mr. Thorpe, an extract from which I now enclose marked C, stating that Mr. Young's claim immediately on my departure been for the first time openly brought forward and insisted on, and advising that I should transmit to York a power of Attorney for the purpose of referring the matter to arbitration. In reply to this suggestion from Mr. Thorpe, I wrote the letter of which I enclose a copy with this marked D.

In the foregoing statement I have confined myself almost entirely to a mere narrative of facts, without offering any comments upon those facts; this I have done because the case appears to me to be perfectly clear, and the influences [inferences?] arising from it too obvious to escape your Lordship's discernment. I shall not trespass any longer on your Lordship's time with respect to the first of the two charges which I am called upon to answer, and with respect to the second accusation, namely, that of having persevered "in a general opposition to His Majesty's representative and his measures." It must, as I have already remarked, be evident to your Lordship that this charge is of a very vague and indefinite nature, and that it cannot possibly be repeated without some specification of the particular instances of opposition upon which it is founded. I am persuaded Your Lordship will not deem it just to condemn me upon this charge until I shall have been put in possession of each particular accusation which may be calculated to produce an unfavourable impression against me upon this point; and until I shall have been allowed a fair opportunity of replying directly and distinctly to each of these particulars. In the meantime I solemnly declare I am totally innocent of the offence in question, and that so far from a wish to oppose the Government, it was my sincere desire to aid its authority by every means in my power.

Lest your Lordship should suppose that the disagreement subsisting between the Provincial Government and me may originally have arisen from a discontented and refractory disposition on my part, I beg leave to assure Your Lordship that complaints similar to those which I have to alledge have been stated by many individuals filling the most respectable situations under the Government. I shall have no difficulty whenever your Lordship may require it of me to prove by written and authentic documents as well as by the most credible oral testimony, that the

dissatisfaction which I express, did not originate with me, but that similar discontent had prevailed in numerous instances previously as well as after my arrival in this province.

One strong example of this nature is exhibited in a Memorial now on the records of the Treasury from Mr. Russell one of the Executive Council in Upper Canada and Receiver General of the province to the Lords Commissioners of His Majesty's Treasury dated in the year 1803; although I have already stated that I feel it to be impossible for me to defend myself effectually against the general charge of opposition to the Government without some information as to the particulars to which that charge refers, I am anxious that your Lordship should clearly understand that I have no wish whatever to elude the strictest Investigation of my conduct and that I now pledge myself most positively and solemnly to your Lordship to produce the fullest and the most satisfactory explanations upon every Item of accusation which may be alledged against me whenever it may appear to your Lordship to be proper that I should be made acquainted with those particulars.

If after a full and fair investigation of all such matters as relate to my conduct in Upper Canada it should as I have not the smallest doubt it will appear to your Lordship that my character has been totally misrepresented and that there is no sufficient ground for the strong measures which have been adopted against me by the provincial Government, I am persuaded that your Lordship will not think it unreasonable that I should in that case hope to be reinstated in my office upon the same footing on which that office was holden by my predecessor; In all the communications with which I have had occasion to trouble Your Lordship since my arrival in England, I have had no object beyond that reinstatement, the vindication of my character against dishonourable imputation and such benefit to the public interest as might be derivable from any information or suggestions which my local experience might enable me to offer to Your Lordship's consideration.

Before I close this letter I think it right to mention to Your Lordship that Mr. Gore on several occasions as well to me personally as to several others expressed his high approbation of my character, & that, even after he had been induced to suspend me from my office; adverting to this fact, I know not how to account for Mr. Gore's conduct towards me but by concluding that he had been wholly misled by the fabricated stutements of certain designing individuals with respect to my character and principles. If that be really the case, it is probable that Mr. Gore may by this time be convinced of the error into which he had been led and may not entertain any sentiments towards me incompatible with an amicable adjustment of the differences subsisting between us, I have no hesitation in assuring Your Lordship that for my own part I certainly do not entertain any such sentiments and that under any arrangement which should exculpate my character and leave me in possession of the just advantages of my Office I should be cordially and sincerely disposed to resume my station under Mr. Gore's Government and to cooperate with him by every means in my power for the benefit of the Interests and prosperity of the valuable colony committed to his charge.

I have the honour to be, My Lord,
Your Lordship's most obedient humble servant
C. B. WYATT.

A. Extract. Enclosed in letter (*e*).

(*p.* 215.)

I was indeed surprised to hear that you had been charged with a criminal intention, in erasing from the Books of the Surveyor General's Office, the name of a person who claimed a lot of land, to which it clearly appears he had no title. I well remember when Mr. Addison accompanyed us to Mr. Young's in order to investigate his title, and that both Mr. Addison and myself were fully convinced from his own statement, that he had no more right to the land in question than I had. I also well recollect your saying that if he (Mr. Young) could prove the shadow of a title that you would never molest him in the possession.

JOHN MILLS JACKSON.

Bath June 29, 1807.

B. Enclosed in letter (*e*).

. 216.)

York October 1806.

o —— Clinch, Esquire.

Dear Sir,—I fully intended to have called on you, during my stay this season t Niagara for the purpose of a conversation relative to Mr. Young's claims to ye t 161 in the Township wherein he now resides, for which lot, it appearing to be acant, I have the deed; having however been unable to do so, I shall esteem it a vour if you will acquaint me by an early and convenient opportunity with circumtances (as you know them I am informed) relative to the subject of this communiation and be assured should Mr. Young's claim appear to be a just one, I will not ppose him, or shall I feel a moment's hesitation in surrendering my title in his vour.

I am, Dear Sir,
Your obedient humble servant
C. B. WYATT.

C. Extract. Enclosed in letter (*e*).

Mr. Clinch moved for leave of absence from the House, I found it was to follow you about Young's business; He made more noise on the subject than the land is worth. I satisfied him that you would give me a power of Attorney to put in force whatever the arbitrators awarded; I send off such a one as I think you will approve of, which I beg you will sign and send back; be assured I will take care that you shall not lose, & if you did I would have you sacrifice land to character.

ROBT. THORPE.

Feb. 6th, 1807.

D. Enclosed in letter (*e*).

(p. 218.) River Credit, 6th Feb., 1807.

Robert Thorpe Esquire.

Dear Sir,—Having already given a power of Attorney to Mr. Baldwin to act for me during my absence from U. C. should I grant a subsequent power of the same nature to any other person I am fearful it would cancel the first and occasion a bad effect upon the adjustment of the few trifling concerns I have left unfinished in this country.

In reply to your kind letter sent after me to this place I however am induced to suggest that upon the usual Examination of the Surveyor General's office relative to the Lot No. 161 in the District of Niagara for which I have the Deed, as well as the accompanying copy of a letter written by me to Mr. Clinch (see B.) upon the subject of the said Lot of land, that Mr. Baldwin as my constituted agent will direct whatever measure may appear best calculated to secure Justice to the parties concerned in the matter alluded to.

I must acknowledge that Mr. Clinch's conduct surprizes me at this time as I never received any reply to my letter to that gentleman dated in October last a copy of which I enclose particularly as he has always had an opportunity of personal communication with me since without having expressed himself to me either upon that or any other subject. As well as I can recollect though Mr. Young was actually located Land to the amount of *two hundred* acres *more* than the portion allowed him by the Original order of Council in his favour six hundred acres of which Mr. Young was not allowed to receive the patents for by order of General Hunter in writing, Mr. Young it would appear never even asked for, much more made any claim to the lot of land now claimed by him.

&c. &c.

C. B. WYATT.

(*f*) C. B. WYATT TO LORD CASTLEREAGH.

(*p.* 220.)

FOLEY PLACE, July 28th 1807.

MY LORD,—I have the honour now to forward to your Lordship my answer to the two charges to which I have been required by Your Lordship to reply, and I am sorry that it has not been in my power to furnish your Lordship with my explanation upon those two points of accusation at an earlier period, but, without hazard of neglect to my own interests, I have found myself unable to forward that statement before the present period.

Should your Lordship be of opinion that my defence does not sufficiently exculpate me from the charges alleged against me to enable you to reinstate me to the Office of Surveyor General of lands in Upper Canada, without further investigation, it seems to me that it may be Your Lordship's intention to send an entire copy of my statement to York, in order that the Government there may be informed of its contents and have an opportunity of replying to it, in which case may I be permitted in justice to myself to solicit that your Lordship will direct that I shall be made acquainted with the measures you may think fit to adopt in this respect, by which means only, I shall be able to take such steps, as may be necessary and best calculated to prove that I do not deserve the dishonourable imputations which have been alleged against my character.

Your Lordship will I trust have reason to think so well of my defence in its present form, as to induce your Lordship to permit me to receive the arrears of salary and usual allowances from the time of my leaving Canada to the 30th June last, being the period at which these emoluments became payable.

The circumstances of my situation preclude the possibility of the agent in England possessing the necessary certificate from the Government in Canada to authorize him to pay the salary, the usual substitute for those certificates in similar cases is an order from the Secretary of State, I therefore humbly solicit that your Lordship will be pleased to grant me the indulgence I request.

I have the honour to be with profound respect
Your Lordship's most obedient humble servant
C. B. WYATT.

(*g*) C. B. WYATT TO LORD CASTLEREAGH.

(*p.* 270.)

FOLEY PLACE, August 18th 1807.

MY LORD,—The confidence I feel in your Lordship's justice, and in the purity of the motives by which I know the whole of my conduct in Canada to have been actuated, induced me to hope that the explanation which I have already sent to your Lordship, upon the subject of the two charges which I have been called upon to answer, will be sufficiently satisfactory to prevent a confirmation of my suspension from my office. I therefore venture, relying with implicit confidence on the strong grounds to which I have already alluded, to repeat to Your Lordship my earnest and humble request that you will be pleased to allow me to receive the salary and usual emoluments of my office, at least untill Your Lordship shall have ascertained that I am unworthy of that indulgence. I am assured that a contrary conclusion will be the final result of your Lordship's investigation of my case and I am persuaded that under such a conviction in Your Lordship's mind, you would regret that I should have suffered a great degree of deprivation and inconvenience which my conduct did not appear to merit.

In the absence of the certificates which are the usual vouchers upon which the agent pays the salaries of Public Officers in Canada, & which cannot be supplied to any officer during his residence in England, the authority which it is customary to substitute in lieu of those certificates, is a letter from the Secretary of State addressed to the agent, authorising him to pay the salary in question as it may become due. But in addition to my salary a large proportion of the emoluments of my Employment arises from fees paid upon the spot, none of which I can at present

receive ; they are deposited in the hands of the Receiver General in Upper Canada where they must remain untill he shall have authority to issue the amount.

Adverting to the circumstances of my case, I trust that Your Lordship will have the goodness to order that a Letter may be written to the agent for Upper Canada, directing him to pay my salary to me in England, until he shall receive further commands upon the subject; and another Letter to be sent to York authorising the Receiver General to pay to my agent the amount of fees now due to the Surveyor General and which shall become due to me until the question at issue shall have been finally decided or untill he shall receive further orders.

I am sorry to give your Lordship so much trouble, but the difficulties arising from the situation in which I am placed, occasioned by the great additional expence for the purpose of conveying my family from Upper Canada, and of maintaining them in England, compels me to make this appeal to Your Lordship's indulgent consideration.

I have the honour to be, My Lord,
Your Lordship's most obedient humble servant
C. B. WYATT.

(*h*) LORD CASTLEREAGH TO C. B. WYATT.

(*p.* 274.)

DOWNING STREET, 28th August, 1807.

SIR,—I have perused your Defence, and with respect to the specific charge brought againt you by Lt. Governor Gore, of your having erased the name of a Grantee from the Records of your office & substituted your own, Explanation of that Fact appears to be satisfactory; but before any ultimate judgement can be made upon the subject it will be necessary for me to transmit it to Lt. Governor Gore for his Consideration & Reply. With regard to your Salary, it appears to me that you cannot be considered as entitled to any whatsoever, whilst under suspension, and I do not find myself at present enabled to direct your Restoration.

I am, Sir,
Your most Obedient humble servant,
CASTLEREAGH.

(*i*) C. B. WYATT TO EDWARD COOKE.

(*p.* 303.)

FOLEY PLACE 8th Sept. 1807.

SIR,—It is I assure you with great reluctance that I again trespass on your time; I however hope that the urgent considerations which induce me to do so on the present occasion will be a sufficient apology for the instrusion.

Having understood from you, in the course of conversation which passed between us yesterday, that it is the intention of Lord Castlereagh to transmit to Canada a copy of the statement which I had the honour to submit to his Lordship relative to the two charges against me which I was by your letter of the 2nd of July last required to reply; and feeling as I do that my character as to principles of quality and honour, may through life, depend in a great degree upon the final and complete confirmation of the facts which I have asserted in that statement, I must beg that you will have the goodness to submit to Lord Castlereagh my earnest request that his Lordship will be pleased to direct that I should be furnished with a written authority in duplicate enabling me to require through the agent in Canada, attested copies of the Official Documents specified in the accompanying list, as those papers contain the only evidence of which it is in my power, at this distance from Canada, *positively to prove* the facts which I have asserted relative to the accusation of fraudulently erasing a person's name from the map in the Surveyor General's Office in order to insert my own; and consequently that they are the only means by which I can defend my character effectually against the serious imputations which may be brought against it upon this point, in the event of the Provincial Gov-

ernment not admitting the strict truth and accuracy of the statement which I h already made upon the subject. I am persuaded that principles of generous liberal as well as of justice, will prompt both Lord Castlereagh and you to accede to request on this occasion, and to afford me every reasonable protection in your po against an eventual injury to my Reputation, which in my Conscience I kn cannot be due to the motives which have actuated any part of my conduct in discharge of my official Duties; and which in all probability, were it to occur, co not be repaired during the remaining period of my life.

It is scarcely necessary for me to state that the Emoluments of my office Canada are of important value to me, and I trust that you will believe me whe assure you that much as I should suffer for the loss of them, I am less anxious retain them than I am to rescue my character from any imputation which sh appear to attach to the probity and honour of my principles. Influenced by t impression and feeling at the same time the important value of the emoluments my office, it was highly satisfactory to me to hear from you yesterday that b Lord Castlereagh and yourself were as thoroughly satisfied, as you could possib be by any *ex parte* evidence that I was entirely innocent of the only charge agai me which attaches to my integrity and honour, and that altho' upon a general pr ciple of Govt. there were objections to my resuming my station at York, under M Gore's administration, it was Lord Castlereagh's intention to recommend me to t Treasury for some other situation in lieu of that which I held in Upper Canada.

It is obvious that as I am not to return to Canada my actual appointment some other situation is the only means by which my Reputation can be defend against the degrading and painful stigma of having been deservedly dismissed fr a lucrative and responsible occupation in the public service. I therefore hope th Lord Castlereagh will have the goodness to delay the final and official confirmati of Mr. Gore's proceedings with respect to my suspension until I shall be appoint to another office.

The expenses which I have unavoidably incurred amounting to about £3,0 in conveying my family and servants to and from America, In purchasing hou hold Furniture and other necessary articles for my use in that Country; the nec sity which I shall be under of selling those goods upon the spot at a great deprec tion & under heavy costs and charges, will undoubtedly occasion to me a positi loss of a very large sum of money.

Adverting to this severe inconvenience & to the fact that my return is not p cluded by my being deemed unworthy the official countenance of Lord Castlereag but by those general principles of Govt. which seem to require that the Provinc Government should be supported in all cases of collision with its inferior officers am induced to hope that Lord Castlereagh will have the goodness to allow me receive the salary of my office in Upper Canada until my appointment to so other situation shall take place and I must beg the favour of you to submit to Lordship my earnest and humble request to that effect.

It may be right to observe that Mr. Gore's warrant of suspension goes only suspend me expressly from the duties of the office, and certainly no other per can receive any of the emoluments untill an authority shall have been obtained fr the Government at home to that effect.

I am persuaded that under all the circumstances of my case, as it now stan Lord Castlereagh will be disposed as far as may be in his power consistently w the due discharge of public duty to grant me any indulgence which shall be cal lated to mitigate the great inconvenience to which I have been made subject by suspension from my office in America, and to avert from me the most distress pecuniary embarrassments.

I have the honour to be, Sir,

Your most obedient humble servant

C. B. WYATT.

Where to be obtained.	List of persons referred to in Mr. Wyatt's letter to Mr. Cooke, dated 8th September, 1807.
Office of the Clerk of the Executive Council.	*First.*—A copy of the Order in Council granting to C. B. Wyatt, Esquire, twelve hundred acres of the Waste Lands of the Crown in Upper Canada, together with a copy of the Receiver General's Receipt for the amount of Fees paid by Mr. Wyatt for three hundred acres being a portion of the above mentioned grant attested by the proper authorities.
Lt. Governor's or the Surveyor General's Office.	*Secondly.*—An attested copy of Mr. Wyatt's letter to Mr. President Grant dated about the month of July 1806, requesting his permission to locate the Lot of Land No. 161 in the Township of Niagara.
Surveyor General's Office.	*Thirdly.*—An attested copy of Mr. Wyatt's letter to the Honble. Robt. Hamilton dated about the month of July, 1806, relative to a person by the name of Shubel Welton whose name appeared upon the map in the Surveyor General's Office, of that part of the country where Mr. R. Hamilton had long resided as a Magistrate &c. &c. together with Mr. R. Hamilton's reply to Mr. Wyatt's letter above alluded to relative to Shubel Welton.
Surveyor General's Office.	*Fourthly.*—An attested copy of the official document called a Location Paper, in favour of Mr. Wyatt for the Lot No. 161 in the Township of Niagara.
Surveyor General's Office.	*Fifthly.*—An attested certificate specifying whether it has not been the practice in Upper Canada with permission of the Governor or person administering the Government, to substitute names on the maps in the Surveyor's General's Department in cases where the original nominees have neglected to take out their patents or from other causes in favour of subsequent applicants for the Lands so disposed of, and particularly specifying whether the name of the Honble. H. Allcock, the late Chief Justice of U. Canada is not entered on the 5th lot north of the Town of York east side of Yonge Street formerly located by one Cozens, together with a copy of the authority by which Mr. Allcock's name was substituted on the said Lot in lieu of Cozens's.
Surveyor General's Office.	*Sixthly.*—An attested certificate specifying the quantity & situation of all lands in Upper Canada, described under the authority of the Surveyor General's Office as a Grant to Mr. C. B. Wyatt.
Surveyor General's Office or Council Office.	*Seventhly.*—An attested copy of all the original Orders in Council in favour of Mr. John Young, of the Township of Niagara, for lands granted to him in the Province of Upper Canada.
Surveyor General's Office.	*Eighthly.*—An attested certificate specifying the quantity and precise situation of the Lands located by the said J. Young, and those actually described for him previously to the month of August 1806.

Where to be obtained.	List of persons referred to in Mr. Wyatt's letter to Mr. Cooke, dated 8th September, 1807.
Surveyor General's Office.	*Ninthly.*—An attested copy, verbatim, of Gen. Hunter's written communication refusing Mr. Clinch's application to locate for Mr. Young a portion of the Lands granted to him, Mr. Young, by the Executive Council on the spot.
Surveyor General's Office.	*Tenthly.*—An attested certificate signifying whether there exists or not, any official register in the Surveyor General's Office in Upper Canada, by which it could be presumed that Mr. Young had ever, prior to the month of August 1806, stated a claim, to the Lot of Land No. 161, in the Township of Niagara, and whether there is any official register in that Department by which it would appear that any Individual (excepting the original nominee Shubel Welton) ever possessed a legal claim to the said Lot of Land in the Township aforesaid.
Clerk of the E. Council or Book of Letters received in S. G. O. No. 5 page 1490.	*Eleventhly.*—An attested copy of Proclamation dated 21st of August 1795, requiring all tickets or certificates of Location to be presented as prescribed &c. &c.
Surveyor General's Office or Clerk of the Executive Council's Office.	*Twelfthly.*—An attested report from the proceedings of the Commission, established by a Provincial Act of Parliament for the purpose of securing titles to Lands in the Province of Upper Canada, stating whether any claim appears to have been made before that Commission in the name of Young relative to the Lot 161 in the Township of Niagara previous to the month of August 1806.

No. 3 (of No. 45).—Extracts from Letters to Judge Thorpe.

(*p.* 372.)

In a letter from one Le Favre (a United Irishman) residing in America is the following:

"Prior to writing it (alluding to another letter) I had handed to Mr. Clinch "two hundred and fifty hard dollars to deliver you."

Le Favre came from America on a Land speculation, but the Government, conceiving he was an improper character did not accede to his wishes. He then, as every disaffected person does, applys to this Judge, at least from the following paragraph from the same letter, I have a right to make the conclusion:

"I purpose if you shall approve it, & I hope you will, to put the name of my "son in law (Mr. Donohue of Streamstown) for the lands in place of my own, he "being young and independent," and again, "I shall add whatever you advise will "entirely govern my conduct but to that end I must look for your continuing to "honour me with your entire confidence."

In a letter from one Thompson, a *Rebel*, is the following:

"Capt. Brant tells me the Dutch Men are gone up the Lake with the money "he expects them here tomorrow along with Mr. Jones, when I hope you will get "some assistance in the money way."

No. 4.—Mrs. Wyatt's Information.

(*p.* 374.)

It was Mr. Thorpe and his party that persuaded the people to raise a subscription to pay his Election Bills "that it might enrage the Government and that had those

contemptible wretches, those old women (meaning the Executive Council) known anything of Law, they might have prevented his being return'd a member this Session."

Mr. Thorpe has also endeavour'd to persuade the printer engaged by Government to relinquish his Office and that he would make his future for him. Mr. Thorpe declared he had never anything to do with the Elections, it is false, he was at the head of every meeting held for the purpose & everything that appeared in print or Resolutions read at those meetings, *were written by himself*, he has declared the London address was intended to annoy & quiz the Governor and his constant Boast is, that he upset the Government in Prince Edward Island, and did not doubt he would do it again if they did not adhere to his principles.

No. 46.—Mrs. Thorpe to Edward Cooke.

(Canadian Archives, Series Q., Vol. 310, p. 406.)

Albany 15th December, 1807.

Sir,—The duplicate of a letter of yours having torn my husband from me, I request you will give him the enclosed, as I know not his direction.

When going, he left with me draughts on Mr. Adams for one hundred pounds, a few days after his departure several of Mr. Thorpe's bills on that Gentleman were returned protested, for some deficiency in the form of the certificate. My husband was now loaded with every abusive epithet, and no money would be given on the draughts left with me. Unaccustomed to derive support from eleemosynary donations, and unable to bear insult, I bade adieu to a place where my heart was nearly broken.

How I reached Albany I scarcely know, but on my arrival I applied to an American merchant who cashed the bills to defray the expenses of my journey, and I most fervently hope that nothing will induce Mr. A. to return these bills.

I mention these circumstances to shew the ruin that the mere want of form has brought on an innocent family.

When it was Lord Castlereagh's pleasure to suspend my husband, did he never give a sigh for the feelings of a wife or the helpless situation of seven children? Yet his Lordship is a husband and a parent.

My dear husband on the bosom of the deep surrounded with dangers, the Atlantic between myself and a friend, in a cold climate without means for support, or even an acquaintance. What an alteration to a female, what a change of scene, to one delicately brought up, reared in the lap of affluence.

This intrusion on you is very unpardonable, I did not intend it, 'tis against every rule of etiquette, but *misery* knows not *etiquette*.

I am, Sir,

Your obedient humble servant

S. THORPE.

I request you will not mention this letter to Mr. Thorpe. Poor fellow! he has already sufficient annoyances.

No. 47.—LIEUT. GOVERNOR GORE TO ADAM GORDON.

(Canadian Archives, Series Q., Vol. 310, p. 409.)

P.S. You will form a favourable idea of our Courts of Justice in Upper Canada, when I inform you that the Grand Jury of this District, have presented one of the Judges (Mr. Thorpe) for a libel, who left the *Bench* to plead his own case at the Bar.

NOTE E.

COURTS OF JUSTICE FOR THE INDIAN COUNTRY.

No. 1.—LIEUT. GOVERNOR MILNES TO LORD HOBART.

(*Canadian Archives, Series Q., Vol. 89, p. 144.*)

QUEBEC 30th October, 1802.

MY LORD,—1. I have the honour to enclose Your Lordship a copy of a letter from the Chief Justice and the Puisne Judges of the Court of King's Bench for Montreal, together with a copy of a Presentment lately made to them by the Grand Jury in that District, relative to the incompetence of His Majesty's Courts in this Province to take cognizance of offences committed in the Indian Territory; The circumstance which gave rise to this Representation is of such serious consequence and the magnitude and importance of the trade carried on with the Indian Country so great, that I feel it peculiarly incumbent on me, upon this occasion to transmit to Your Lordship the fullest information I have been able to collect relative to these objects, in order that such measures may be adopted with regard thereto, as shall be most expedient and effectual.

2. The fur trade has long been an object of Commercial Importance and at present, so far from diminishing, it appears to increase; new Tracts of Country have been visited by the Merchants employed in this Traffick, which have furnished new sources for the supply of Furs, and much of those collected in the interior of the North West Country which were formerly shipped from Hudson's Bay are now exported from Quebec.

3. The state of this Trade during the French Government was very precarious. Some years its Product was great, in others but very small.

4. This was perhaps in some measure owing to the interference of the Crown, no person being suffered to trade with the Indians, without an annual Licence from the Governor, by which means, under such a Government as that of France, no man could depend upon obtaining a License for the next year; no general system was pursued, and no establishments of any Importance were made. Individuals purchased their Licences for a year, and each trafficked under them where, and as he thought best, so that the product of the Trade was regulated by the number of Adventurers which annually offered, and the Returns were in proportion to their Numbers and to the Capital employed by each of them.

5. The French East India Company however had the sole privilege of exporting Beaver; for this purpose they had an agent in each Government, a Director and a Comptroller, and a stated price was paid for it to the Indian Traders, viz: Four Livres a pound for the Green or Winter Beaver and a Livre ten sols for the Parchment or Summer Beaver; but the value of the entire quantity of Furs exported never exceeded £140,000 stg and was often less, particularly in 1754, when it amounted to £64,000, and in 1755 to £52,000 only, when it was considered as a declining Trade.

6. Since the Conquest the Spirit of British Commerce has brought the Fur Trade into Regular Form; it is now carried on upon System, and a large Capital is invested by a Company of Merchants long since known by the name of the North West Company, who have extended the Trade very far into the Interior of the North West parts of this Continent, where they have established numerous Trading Houses.

7. The success of this Company, and the great and rapid fortunes which many of them have amassed, occasioned the establishment of a second Company in the year 1800, who have the Command of a Capital equal to that of the North West,

ed as they pursue the same line of Commerce by the same means, and in the same arts of the Interior Country, mutual Jealousies have arisen, Complaints of the Conduct of each, and of the Servants of each have been made, and both have proceeded from one step to another until the Contest, from a Commercial Competition, has grown to open enmity and hostility.

8. But very lately a Clerk of the North West Company at one of their Posts upon the Confines of the Country commonly known by the name of the Hudson's Bay Limits, had a dispute with a Clerk of the New Company respecting a quantity of Furs collected by an Indian who was in debt to both the Companies. The North West Clerk contended the Furs were his, because his debt was the oldest, and the Clerk of the New Company declared that he was in possession and would retain them; the former however persisted in his right and advanced declaring he would take them, when the latter drew a Pistol from his Pocket and shot him upon the Spot.

9. The young man who was thus the cause of the other's death came down to this Province in September last, and through the medium of his friends, offered to surrender himself for Trial; but a Trial could not be had, because the offence had happened without the Limits of the Province, and therefore the ordinary Courts of Justice had no Jurisdiction over it; and it appears also that the Governor is not empowered to issue a Special Commission for the Trial of offences committed without the Province. This case gave rise to the Presentment made by the Grand Jury of Montreal, of which I have enclosed Your Lordship a Copy (B). Further to elucidate the subject, I enclose also a copy of the Report made to me thereon by the Attorney General (C).

10. If the Fur Trade was carried on within the Limits of the Canadas, there would be but little difficulty in restraining the Two Companies and their servants, and in keeping the Conduct of both within their proper bounds. But the seat of the Trade lies many Hundreds of Miles beyond the Limits of either of the Provinces, where there are no military Posts, no officers of any Government, no Persons, in short (Indians excepted) but the Servants of the Two Companies, who are already hostile to each other, exasperated by mutual acts of aggression, interested in the success of their respective Companies, freed from all immediate restraint, and fearless of future punishment, because they know that the Courts of the Canadas cannot take cognizance of Crimes committed where they traffick.

11. Under such circumstances every species of offence is to be apprehended from Trespasses to Murders, and also that the natural Character of the English will be debased among the Indians; and that the numerous Tribes of those people will in consequence thereof be more easily wrought upon by Foreign Emissaries employed by the Enemies of Great Britain.

From what is here stated I trust your Lordship will perceive the great necessity of providing as soon as may be, a competent Jurisdiction for the Trial of all offences committed in the Indian Country without the Limits of the Two Canadas. The trade is encreasing and the number of persons employed must therefore also encrease; to enable Your Lordship to form some opinion of its probable extent I inclose a Return (D) of the number of Persons now employed in the service of the old North West Company, to which may be added a third of the entire number, that being about the proportion of those who are in the service of the new Company.

13. I further enclose a Statement of the average number of Furs exported from Quebec during the last nine years, with a Calculation of the Duties paid thereon, on their being landed in England, amounting to upwards of Twenty-two thousand pounds annually, also a statement (F) of the several kinds of Peltries actually shipped from Quebec last year, specifying the average prices at which they sold in London, amounting to Three hundred and seventy-one Thousand Pounds, which will shew the growing importance of this Commerce to the Mother Country.

14. Whether subjecting persons engaged in this Trade to taking out Licences might afford an advantageous check to the evils apprehended, or whether it might be prejudicial to the Interests of the Mother Country in her particular intercourse with this Province, or in her general Commerce, is a matter that requires the most serious Consideration, Furs and skins being raw materials necessary for many of our

Manufactures, and which cannot be had from Foreign Countries upon terms so advantageous (if at all) as those upon which they are procured from a dependent Province. Perhaps therefore, as there is ground to hope that a Jurisdiction for the Trial of offences committed in the Indian Country would be sufficient, it may be advisable that no other step should be immediately taken for the better regulation of the Trade in question, than the establishment of such a Jurisdiction.

But at the same time I am of opinion, and therefore subject to Your Lordship's Consideration, if it might be proper that the act of the Imperial Parliament (in case one shall be passed) to provide a means for the Trial of offences committed without these Provinces should also empower the Governors to appoint such Person or Persons as they shall see fit, to seize and apprehend in the Indian Territory all Persons whatsoever charged with Felonies and to send them under proper Custody to that Province to which they belong, or from which they proceeded to the Indian Territory, in order there to take their Trial for the same. His Majesty's Proclamation of the 7th Oct. 1763 has a Clause somewhat similar to that which I have here proposed, but it extends only to Military Officers and to officers of the Indian Department, of which Descriptions of Persons there be none in the North West Territory.

With respect to what the Judges in their Letter to me state, "that Felonies "committed in places where there may be no Court of competent Jurisdiction to "try the same, may be tried in the Province next adjoining to such Place where the "Felony may have been committed," I have to remark to Your Lordship that the Peltries are for the most part brought down the Grand or Ottawa River to Montreal, which River, as well as many of the Posts belonging to the North West companies are nearer to Upper than to Lower Canada, but as the Canoes return by the Ottawa, the distance from the Place where Justice is administered in Upper Canada may make it more inconvenient to the parties than if they came down to Montreal, the Port of Return; and should it be necessary for witnesses to attend the Courts of Upper Canada, they would in the first place often come to Montreal by the Grand River, and be obliged to go up by the Lakes, which would be attended with much Inconvenience. I therefore beg leave to submit to Your Lordship's Consideration, whether instead of trying offenders in the nearest Province, it would not be advisable to give the Courts of Justice in both Provinces the same Jurisdiction, to be exercised whenever there is occasion without confining it to the Province nearest where the offence shall have been committed.

I have the honour to be, My Lord,
Your Lordship's most obedient and most humble servant
ROBT. S. MILNES.

Enclosed.

(A.) THE JUDGES OF KING'S BENCH, MONTREAL TO LIEUT. GOVERNOR MILNES.

(*p.* 153.)

SIR,—We have the honour to present to Your Excellency a Calendar of the prisoners tried, convicted, and under sentence, at the last Session of His Majesty's Court of King's Bench for this District.

* * * * *

With respect to the murders lately committed in the Interior, or Indian Territory, the Grand Jury have endeavoured to represent the magnitude of the evils to be apprehended, should a speedy remedy not be provided, to restrain the dangers that actual circumstances too clearly announce.

Should the Imperial Parliament grant to the Respective Governments in the two Canadas, a Jurisdiction similar to that enacted by a statute passed in the 15th year of His present Majesty's Reign, chap. 15, sec. 29 for America—that Felonies committed in places where there may be no Court of competent Jurisdiction, to try the same, may be tried in the Province *next adjoining* to such place, where the Felony may have been committed, it might deter the commission of crimes, *so far* as the dread of detection and punishment could extend.

But your Excellency will perceive that jurisdiction alone will not effectually cure His Majesty's Government against the Commotions, the Hostilities and the crimes that are to be apprehended in the Interior Country where the Fur Trade is carried on *from this Province.*

Whatever measures could be adopted to correct the strong animosity which that Trade excites among the few who are in possession of it might weaken the source of the struggles, and the conflict of contending Parties; and with the Jurisdiction above alluded to give protection to the lives and secure the peace of His Majesty's Government and People.

Which with all deference and respect is submitted by

Your Excellency's most obdt. humble servants

J. MONK, *Ch. Justice.*
P. L. PANET, *J.B.K.*
J. OGDEN, *J.B.K.*
A. DAVIDSON, *J.B.K.*

(B.) PRESENTMENT OF THE GRAND JURY, MONTREAL.

(p. 156.)

To the Honourable the Chief Justice and the Justices of His Majesty's Court of King's Bench for the District of Montreal, in the Province of Lower Canada.

The Grand Jury for the said District represent:—

That circumstances which have happened in the Indian Country, evince the existence there of a most serious evil which altho' generally known, yet the Grand Jury find themselves incompetent legally to investigate the same in its particular instances, as the alledged facts have happened beyond the limits of the District, and of the Province, but as such evil, in its nature, involves consequences of the highest importance, to the lives, personal freedom and properties of many of His Majesty's subjects of this Province, they feel themselves irresistibly called upon to bring the same under the view of His Majesty's Government through the medium of this Honourable Bench, that a remedy may as speedily as possible be applied thereto.

The two provinces of Canada are each bounded upon one side of the Territory called Hudson's Bay, and to that Territory, a very extensive Trade is carried on through both Provinces, but particularly from Lower Canada, from whence a number of persons annually go thither, and when there, many remain therein for one or more years employed in different departments of the Indian Trade and afterwards return to this Province. His Majesty's subjects therefore in Lower Canada, are most particularly interested in the subject of this Representation.

In the said Territory of Hudson's Bay there does not exist a Tribunal for the Cognizance of Crimes and Criminal Offences, and consequently in accusation for Offenses of that nature, committed therein either by Persons from the Canadas or otherwise the offender (from the want of such a Tribunal) cannot be tried in the Territory where the facts were committed, nor are the same cognizable in either of the Canadas altho' immediately adjoining thereto, from the operation of that general principle of English Jurisprudence, that Criminal Offences which have happened beyond their limits, cannot be enquired into by any Tribunal within such limits, consequently in such cases no remedy appears to exist, but such as is applicable under the present Statute of the 33rd of Henry the VIII, cap. 23 by the issuing of a special Commission in England by His Majesty, where alone, the facts can be legally enquired into and decided upon by a competent Court and Jury.

The consequences which may result from a doubtful Jurisdiction, or from the necessity of a Reference to a Jurisdiction in this respect so remote as England is, are obvious and most alarming, such doubtful and such remote Jurisdiction may have been an incitement to the Commission of Crimes, and must be so in that Territory; on the one hand they may totally defeat the end of Public Justice, or on the other may be the means of depriving an innocent person who may be unjustly accused, of ever having an opportunity of legally evincing to his Country and friends his innocence.

Nothing can have a greater tendency to prevent and repress Crimes tha idea of speedy Trial, and punishment of Offenders if guilty, and to protect cence by a speedy acquittal if wrongfully accused, and as punishments are of importance in regard to their influence upon society as examples to others, th respect to the actual sufferings of Individuals who may justly undergo them, wholesome influences is wholly lost; when such trials and Punishments take at a great distance from those among whom the examples are meant to, or can useful operation.

The very heavy expence incident to the Conveyance of offenders fron Territory of Hudson's Bay to England, with the necessary witnesses on both and the cost of Prosecution and defence, must generally operate, either to pr recourse to a Tribunal across the Ocean, and thereby stimulate to private retal and revenge, or where such course can or shall be had, the guilty may e punishment, and the innocent be sacrificed from the distance of time and ph trial; the death or absence of witnesses, or other causes, and the mind canno template without horror, the possible abuses to which such circumstances give rise; as in the instance of a Prosecutor coming from and at a remot when the accused may be destitute of pecuniary means, and the exculpator dence may either be dead, removed or be otherwise beyond his reach, who events (however innocent he may finally be found) will have undergone a lon painful confinement, far removed from his Family and Connexions, and pe ruinous to every prospect he had in life.

All these evils and hardships either in regard to public justice or to Indivi the Grand Jury conceive may be remedied by the establishment of a capital diction within His Majesty's Territories, on this side the Atlantic, and fo purpose it is highly desirable, that His Majesty's Tribunals in Canada s respectively be invested with jurisdiction in respect to the Cognizance of C and Criminal Offences, which may be committed in places of doubtful ter near their limits or beyond their limits (if on this side the sea) they are comm by persons connected with or in the employ of other persons resident Trading from such Provinces respectively, to the Territory where the facts a shall have happened.

In regard to Lower Canada, this extension of jurisdiction so limited t Persons, would in fact be an assimilation to that valuable and humane princ English Criminal Law, that the accused shall undergo a Trial by a Jury of vicinage, because a very great majority of the persons upon whom the same have operation, will either be natives of or will have been residents in Province.

The Grand Jury confide in this Honourable Court aiding this representat such additional reasons, as the superior legal intelligence of its members suggest for the attainment of the object in view, and for that purpose, lay this their own representation in the premises before His Excellency the Lieut. Gov in order that the existing evils may be submitted to the consideration of the lature of this Province, if competent to afford a remedy, or if not, that appli be made thereon, by His Excellency to His Majesty's Ministers, that the sam be laid before the Imperial Parliament, whose Wisdom and Justice will not apply adequate relief.

MONTREAL, 10th September, 1802.

William Hunter
François Papineau
Jno. Blackwood
Jacques Hervieux
Fredk. W. Ermatinger
Samuel Gerrard
Pierre Berthelot
Pre. Guy
Isaac Todd
A. Auldjo
Jno. W. Kindlay
John Guil. Delisle
John Richardson
Silvin Laurent
Alex. Henry
Jno. Delisle
James Woolrich
Denis Viger
Etienne Guy
John Porteous
Charles Larivée.

(C.) Report of the Attorney General.

(A. 162.)

To His Excellency Sir Robert Shore Milnes, Bart., Lieutenant Governor of the Province of Lower Canada &c. &c. &c..

May it please Your Excellency,—

In obedience to the commands of Your Excellency signified to me in Mr. Secretary Sylands's Letter of the 15th instant, directing me to report my opinion—"Whether persons charged with offences committed in the Interior Country, without the limits of this Province, can now be brought to Trial in this Province, and if not, what will be the most eligible jurisdiction for the Trial of such Offenders." I have taken the subject fully into my consideration and am of opinion that Offenders of this description cannot now be tried by any of the ordinary Courts of Law nor by any special Commission issued in this Province for the jurisdiction of the former is confined to Crimes committed within the Province, and no authority to issue any special Commission for the Trial of Crimes committed without the limits of the Province is vested in the Governor. It was indeed formerly held that under the Statute of 14 George III, c. 83 the Governor had such Authority, in like manner as His Majesty is by an Act passed in the 33 year of King Henry the 8th enabled to issue special Commissions for the Trial in England of Offenders charged with murder committed without the realm, and two other persons, James Gale and Alexander Henry Thompson were in the year 1788 indicted at Quebec for murder committed in the Interior Country and convicted upon a special Commission issued for that purpose under the Great Seal of the Province. Doubts however were entertained as to the legality of these convictions and the Question was submitted to the present Chief Baron McDonald and Lord Eldon then Attorney and Solicitor General, who were of opinion that the Governor could not legally issue such a Commission, and in consequence of this opinion both Gale and Thompson were by His Majesty's orders discharged from custody.

The Attorney and Solicitor General were also of opinion—"That in order to bring to trial in the Province persons charged with having committed under any particular circumstances Felonies or other offences out of the Province, some Provision must be made by Parliament, if it should deem proper so to do, either by giving jurisdiction to the ordinary Tribunals of the Province for such purpose or by passing an Act to enable the Governor to issue special Commissions for the Trial of such Offenders."

I have the honour to concur intirely in this opinion, as to the necessity of an Act of the Imperial Parliament, our own Provincial Parliament being incompetent, but I cannot but prefer the last to the first means proposed. Our Courts of King's Bench are held but twice in a year, and to detain witnesses who come either from the United States or from the Indian Country until a Term of the King's Bench is held will frequently be impracticable, at all events in those cases where they do remain great expense will be incurred, burthensome to the Crown or to the Prisoners; and in those where they do not remain, the offender may escape the punishment due to his Crime or an innocent man may be injured from the want of their Testimony.

Under a special Commission which can be issued at any time, the Justices appointed can by adjournments grant that time which the respective situations of the prosecutor or the prisoner may require be that longer or shorter, and accommodate each party so as to answer the ends of Justice.

I must also remark that many parts of the interior Country in which Crimes may be committed, may be supposed by the United States to lie within their limits, and it appears to be highly proper therefore to vest the power of proceeding to Trials of any offences committed without our Territory in the hands of the Governor, to be exercised by him, with the advice of His Majesty's Executive Council, according to his and their discretion guided by the Circumstances of the case and the political Exigencies of the Province.

I am for these reasons further of opinion that a Statute of the Imperial Pa liament, vesting in the Governor and Executive Council of this Province such pow to issue special Commissions for the Trial of Felonies committed on the Continent America without the limits of the King's Provinces and the United States as a vested in His Majesty and in his Privy Council by the Statute of 33 Hen. 8, c. 2 with respect to the Trial in England of offenders charged with murder committe without the Realm, will afford the most eligible jurisdiction for the Trial of suc Offences.

All which, nevertheless, is most respectfully submitted by

Your Excellency's most obedient and most humble servant

J. SEWELL, *Att. General.*

QUEBEC, 23rd October 1802.

(D.) GENERAL RETURN of the Departments and Posts occupied by the North We Company, in the Indian Country, with the number of Partners, Clerks an Men employed in that trade, exclusive of the King's Posts.

Names of Departments.	Latitude.	Longitude.	Posts.	Partners.	Clerks.	Common Men.	Total.
Saint Maries	46·30	84 W.	1	....	2	12	1
Michipicotin	from 46·5 to 47·55	84·15 to 84·45	3	....	3	10	1
Kamanistiqua	48·25	89·20	1	....	2	18	2
Grand Portage	48·	90	2	....	3	8	1
Mille Lacs	48·25	91·30	2	....	3	6	1
Pic	48·40	86·2	3	....	4	10	1
Nipigon Lake	49 to 53	86 to 91	2	....	2	7	1
Nipigon	.....	.....	7	1	10	55	6
Lac de la Pluie	48·9 to 49·20	91·50 to 94·30	6	....	6	28	3
Riviere Rouge & Assiniboine	48·25 to 51·45	97 to 103·15	10	2	16	90	10
Lac Ouinipique	50 to 54	94·50 to 99	7	2	13	65	8
Fort Dauphin	51·40 to 53	98·35 to 102·45	7	1	14	60	7
Shaskachivan River	53·10 to 54·30	99·47 to 115	9	2	16	80	9
English River (Missinipe)	53·56 to 55·45	98 to 112	9	2	12	75	8
Athalasca	55 to 66	110 to 120	18	5	16	186	25
Upper Athabasca River	54 to 55	112 to 116	3	2	4	44	5
South side of Lac Superior and the Fond du Lac	46 to 48	84 to 95·30	12	1	15	68	8
			102	18	141	822	98
Grand or Ottawa River			4	....	6	18	2
Saint Maurice Posts			3	....	5	9	1
Moose River, Hudson's Bay			2	1	3	10	1
Temiscamingue			6	1	6	18	2
G. Total			117	20	161	877	105

It may be proper to state that of this number, there are employed in the Territory of the United States, comprehending the South side of Lac Superior, until the division of the waters that fall into the Missispe on one side and Hudson's Bay on the other as also the Grand Portage 95

On the waters which fall into the River St Lawrence, comprehending the North side of Lac Superior, the Post of St. Maries, Kaministiquia, Temiscamingue, Lake & St. Maurice 76

On the waters which fall into Hudson's Bay, comprehending the River Rouge, Nipigon, Fort Dauphin, Lac Ouinipique, the Shaskatchiwan & English River (Missinipe) 630

And, the waters which discharge themselves into the North Sea by McKenzie's River 257

1058

Exclusive of the above number of Partners, regular clerks and servants who ter, there are 80 [to] 100 Canadians and Iroquois Hunters with whom the North t Company have Contracts, but who are not considered servants of the Company, ging free over the Country wherever they find it convenient to hunt.

There are yearly employed by the Company in Canoes by the Ottawa River men, 400 of which go to the place of Rendezvous on Lac Superior, where they from 6 to 8 weeks, and then return to Montreal with the Furs.

McTAVISH, FROBISHER & CO.

) AVERAGE NUMBER OF PELTRIES cleared at the Custom House Quebec for England, for nine years from 1793 to 1801 inclusive, with a calculation of the Duties paid thereon on their landing in England, amounting annually to £16,071.15.4.

168.)

137,558 Beaver skins	1d each	£ 573	2	4
38,368 Martins	55s pr 40 or 1s 4½ each.	2,656	7	3
18,349 Otters	1s 5d each	1,299	14	5
11,329 Minks	16s 6d per 40	233	13	6
5,483 Fishers	1s 4½d each	399	5	2
10,141 Foxes	4½d each	190	2	10
19,286 Bears	5s 6d each	5,303	13	"
169,811 Deer	2d	1,415	1	10
144,439 Raccoons	13s 9d per 100	993	"	"
12,200 Cased and open Cats	11s per 100	67	2	"
843 Elks	4d each	14	1	"
6,885 Wolves	6s 4d each	2,180	5	"
778 Wolverines	3s 6d each	136	3	"
819 Carcajoux	3s 6d each	143	6	6
219 Badgers	7d each	6	7	9
9,140 Kitts	11s per 100	50	4	3
1,978 Seals	2d each	16	9	8
2,835 Squirrels and Hares	11d per 120	1	1	10
57,151 Muskrats	13s 9d per 100	392	11	3
2 Buffaloes				
1 Tyger			2	9
		16,071	15	4

The foregoing calculation is made in conformity with an Act passed in the 27th year of His Majesty under which all former Duties were consolidated, but it is understood that since that time other and additional Duties have been laid on Skins estimated on the articles above stated to amount to..... 5,950 " "

Average amount of Duties paid per annum.....£22,021 15 4

(F.) STATEMENT of Furs exported from Quebec, in the year 1801, with the aver Prices at which they sold in London amounting to £371,139.11.4.

Beaver Skins	179,947 lbs.	@ 15s 6d per lb.....	£	139,458	8 6
Martins	24,454	@ 8s 6d each.....		10,291	13 6
Otters	21,837	@ 28s 6d		31,117	14 6
Minks	10,689	@ 4s 6d		2,405	" 6
Fishers	5,422	@ 7s		1,897	14 "
Bears	25,299	@ 55s		69,572	5 "
Foxes	19,290	@ 18s		17,361	" "
Deer	227,205	@ 6s		68,161	10 "
Raccoons	92,345	@ 3s 4d		15,390	16 8
Cas'd&openCats	18,704	@ 10s 6d		9,819	12 "
Elks	1,140	@ 18s		1,026	" "
Wolves	2,875	@ 17s 6d		2,515	12 6
Wolverines	1,252	@ 10s 6d		657	6 "
Badgers	219	@ 10s 6d		114	19 "
Kit Foxes	9,130	@ 1s 8d		760	16 8
Seals	1,505	@ 6s 6d		489	2 6
				£371,139	11 4

No. 2.—JOHN RICHARDSON TO H. W. RYLAND.

(Canadian Archives, Series Q., Vol. 293, p. 230.)

MONTREAL 21st October, 1802.

SIR,—I am sorry that the pressure of business at this season should have put out of my power to have the honour of returning sooner an answer to your letter 30th September, requesting (by desire of His Excellency the Lieutenant Governo Information as to the number of persons employed in the Upper Country Trade, i order to form a more correct idea of the object brought forward by the Grand Ju in their presentment at the last term of the Court of King's Bench, and thereby the better enabled to represent its magnitude and importance to His Majesty Ministers.

As the object of that presentment related only to the situation of perso employed in that part of the Upper Country, or Indian Trade, carried on from hen to places within His Majesty's Dominions, beyond but adjoining to the Province Canada, and usually denominated the North West, where the evil complained and requiring a speedy remedy is felt, viz. the want of a jurisdiction on this side t Atlantic, competent to the trial of Crimes and Criminal Offences there committed, presume that it will be complying with His Excellency's wishes, to confine mys to that alone, and not to enter into matters which concern the Indian Trade carri on to countries within the limits of the United States, where similar complaints not exist. The nature and extent of the Trade to the North West will be mu better understood by referring His Excellency to the very explicit account and d cription thereof contained in Sir Alexander Mackenzie's Voyages, than by anythi I could state. The Trade to that country is carried on by two distinct concer commonly called the old and new companies, the former of which had existed many years but expired in 1798 and was renewed by part of the members; and t latter commenced about the same time, in its distinct capacity; but it is to observed that as several of the new concern had formerly an interest in the concern, so in fact the original or general company, which carried on the Trade, branched off into two Companies of about equal date; to each of which many n members have been added, and are adding, but in compliance with the comm Custom, I shall denominate the one the old, and the other the new company, beca the former comprehends a greater number of the old partners than the latter do

The new Company, upon the commencement of its operations, was viewed by e other with a Jealousy and Rancour improper in the Subjects of the same Empire, rsuing a legal and open Trade, to entertain, which annually increasing, it became ident that the new Company had to expect every obstacle which the old could row in their way.

Had these obstacles been such as a fair and honest emulation and exertion could terpose, there could be no right to complain; but the new Company have to contend gainst those of the most serious and aggravating nature, amongst which are the llowing. The most false and malicious impressions have been made upon the inds of the Indians regarding them, whereby the lives of their associates, clerks nd servants, with the property in their charge are endangered. The Indians have een stimulated to commit actual pillage, and to fire upon Canoes of the new Company. Attempts have been made to debauch and entice away their clerks and ervants, in some cases with effect, and a clerk so debauched from *their service* afterards employed treacherously to impose upon other persons *therein*, who were then gnorant of such Treachery. The property of the new Company has been pillaged nd stolen in the Interior Country, in some cases by some of the Associates, Clerks nd servants of the old. Their property has been destroyed by underhand acts.

These are severe charges but strictly true, and the dignity of Government as well s the safety of many of His Majesty's Subjects requires that means should be fallen pon to prevent a Recurrence with impunity of such illegal acts from any quarter. The attempt to pillage having in one instance met with a determined Resistance was attended with fatal effects, and more particularly led to the presentment of the Grand Jury upon general grounds, as to the evil consequences of the want of a Criminal Jurisdiction extending to the Country where that fact happened, having found themselves incompetent to enter upon a legal enquiry into such particular fact. The circumstances alluded to was this. A Clerk of the old Company, confiding in his superior strength, and accompanied by servants, insisted upon taking from a young man, a Clerk of the new Company, without assistance, some Furs, which he had previously received in payment from an Indian. The young man remonstrated against he Injustice, and warned the other of the consequences, as he was determined to rotect the property in his charge, at all hazards. The other still persisted, and laid old of the Furs, to take them by force, when the clerk of the new company fired nd killed him, whilst in the act of what he considered Robbery. Similar cases may ad to similar effects. Retaliations may become frequent. Force may generally revail over Justice. The consequences may be dreadful to contemplate, and the ur Trade must in the end be annihilated, if a competent Jurisdiction is not established in the Canadas, for the Investigation of Crimes and Criminal Offences committed in the British part of the Indian Country, beyond their limits. The young an who killed the other came down with an Intention of meeting the Laws of his ountry, but the fact being not cognizable here, he remains in the deplorable predicament, that neither his Innocence nor his Guilt can be legally ascertained. The umber of persons from Lower Canada employed in the Trade to the North West, ho winter there and therefore are affected by such want of Jurisdiction, may be stimated at from 1200 to 1400 annually, whereof about two-thirds are in the employ f the old Company and about one-third in that of the new. It may therefore be ssumed as a humane and just principle, to assign to the Tribunals here, the cogizances of the Offences which may be committed in situations above said, in all cases here the party accused is associated with, or in the employ of persons resident ithin Lower Canada. It would also have a material tendency to promote order, nd impress the persons employed in that Trade, with a Respect of the Laws, if a Military Post was established at Thunder Bay in Lake Superior, it being the intended Depot of the North West, and to which place the greater number of the men employed in the Interior will annually come, and there meet the Canoes going from Montreal, and if a Civil Magistrate could also be appointed to reside there the consequences would be highly useful in aid of the more extended Jurisdiction of the Tribunals of the Canadas. But I think that the Civil Commission there should be held by a person distinct from that having a military one at that post. And further

it would be expedient and wise, to require from the principal of the present Companies, and of every other, who may hereafter trade to the Indian Country within the British Territory beyond the limits of this Province, Bonds of an adequate pecuniary amount, to become responsible for the good conduct of their Associates, agents and servants in that Country, and conditioned, that upon complaint being duly made upon oath, before a Magistrate against any person in their employ for Illegal Conduct, that the principals (upon being thereunto required by the Governor, Lieutenant Governor, or person administering the Government, after communication to him made of the said oath) shall bring down the person complained against, in order that the Facts alleged may be enquired into and investigated by the proper Tribunal, and if found guilty, that such person (besides undergoing what the Law shall inflict) be for ever after prohibited from returning to the Indian Country; but if he shall be found to have been wrongfully accused, then the principals of the person or persons upon whose complaint he shall have been brought down, be subjected to a pecuniary penalty, exclusive of the Recourse which the accused may have in such case by action at Law, against the parties who wronged him.

In attempting to comply with His Excellency's Request as contained in your Letter, I found it impossible to confine myself to a statement merely of the number of the men employed without going into some detail of the causes of complaint which exist, and which had a material connexion with the subject, and with that Instance, which having much occupied the public mind, as above mentioned, led to the presentment of the Grand Jury, I trust that in this exposure of existing evils, and in the attempt to suggest some Remedies for them, His Excellency will see that there is an anxious desire to bring about an adequate controul against abuse of every kind, from whatever quarter it may proceed.

In regard to the past, the new Company have in their favour at least this *prima facie* argument independent of facts capable of proof, that being in extent of numbers only as one to two of their Opponents, they have not had the power to commit abuse, were they so Inclined. Whereas the other Company having unquestionably had the power, the effects thereof have been but too severely felt by the new Company.

I have the honour to be with Respect, Sir,

Your most obedt & very Humble servant

JOHN RICHARDSON,

NOTE F.

PROPOSED GENERAL FISHERY AND FUR COMPANY.

No. 1.—SIR ALEXANDER MACKENZIE TO LORD HOBART.

(*Canadian Archives, Series Q., Vol.* 90, *p.* 37.)

NORFOLK STREET 7th Jan. 1802.

MY LORD,—In obedience to Command, I have now the honour of transmitting ur Lordship, inclosed, a Project of "Preliminaries to the establishment of a rmament Fishery & Trade in Furs &c in the interior & on the West Coast of rth America"—expressive of the result of my experience & deliberation on that t National object.

It will require some management to mediate the Coalition of the two Companies ntreal in such a manner as to fix the System of Enterprise necessary for carry- he combination of the Fishery and Fur Trade into effect, as some of the oldest bers are likely to prefer continuing in the Beaten track. Let *such* be at full ty to do as they please; but if Government should think fit to confide to me the es in question for the behooff of such as shall accede, & at the same time to mmend it to the Governor of Canada to countenance me in my endeavours to it about, as a measure which has the sanction of, & will be protected by Gov- ent; I have not the least doubt of succeeding with all those, whose *personal* tions are essential; indeed, infinitely more essential than the Capital of the s, since the former can only be replaced by Juniors successively growing up in ervice, during a period of six to ten years; whereas the latter, and any larger that may be found to be necessary or employed to advantage, can be raised at time by recurring to London, and might be raised in London before my depar- were it not thought that those already in trade at Montreal ought to have the rence, and others only the accession to it.

I intend to embark on my return to America, towards the end of the Month; f there is any service, which I may be deemed capable of there performing, it give me pleasure to take charge of it.

I have the honour to be, My Lord,
Your Lordship's Devoted & most faithfull Hble Servant
ALEX. MACKENZIE.

Enclosed.

PRELIMINARIES

e Establishment of a permanent British Fishery & trade in Furs &c. on the nent & West Coast of North America.

9.)

Articles	*Observations*
1.	1.
form a supreme Civil & Military lishment, on the centrally situated Navally defensible Island of Nootka, ng George's Sound Lat. 50° North, two subordinates, one in the River nbia late 46° & the other on *Sea Harbour* Lat. 55 North.	Priority of occupation vesting sovereignty in the possessor, no time to be lost. *Vide* Treaty with Spain of 1790.

2.

Either to repeal so much of the Acts of Parliament now in force, as vest in the East India Company or South Sea Company jointly or separately, an exclusive Right of Fishery Trade & Navigation, in the Pacific Ocean & on the West Coast of North America;

or

to obtain from both or either of those Companies, a *Licence* irrevocable and unlimited, there to Fish Trade and Navigate in their or its Right and to Establish Factors, or Agents at Canton in China and any other Port, or place within the limits of their Charters, for the Direct Sale & Barter of the Exports & Imports, from & to the West Coast of North America, to & with the people of China & others, there residing or trading at the time; as fully & freely as both or either of these Companies might do, if they themselves carried on the said fishery trade & navigation; namely, during the yet unexpired term of their charters; and those Charters not to be renewed, but either with the entire exception of the said Fishery Trade & Navigation; or under a legal obligation to continue the Licences now to be granted for the whole term of their duration.

3.

To obtain from the Hudson Bay Company, If it has legal power to grant or refuse it, a *Licence of Transit*, irrevocable and unlimited; for all Goods Wares & Merchandise, the growth, produce & Manufacture of Great Britain & of America, in & outwards, through all the Seas, Bays, Ports, Rivers, Lakes and Territories, within the Limits of its Charter, in their passage *directly between Great Britain & North America*, without being subject to any visitation or Search nor to any duty or charge, to which those of the Company itself are not liable; the Consignee, say the Resident agent at York & Churchill Factories, or Conductors of every transport delivering to the Governor, or other officer representing the Company in chief, at the first Port or place of Entry into the limits or jurisdiction of the Company a Manifest of the Marks, Numbers & Contents of the several packages, Chests &c. upon oath to be administered to him by the said Governor or officer in chief, who, within twenty-four hours after such Manifest has been

2.

On the ground that neither of
Companies have exercised this Fi
& Trade, and that the East India
pany is under a legal obligation to
such a Licence, unless cause to th
trary, allowed to be good by the
of Control can be assigned.
V. Act of Par. 33 Geo. III, Ch. 3
78.

On the ground that as the retu
this Trade are not realizable in les
three or four years, no body of
capable of carrying it on to the a
tage of the Nation, will embark
unless thus assured of its permanen

3.

On the ground that the Right of
sit between the Mother Country
Colonies, through her own proper
tory & Colonies, is an Attitude of
eignty, neither surrendered, nor
to have been surrendered to the H
Bay Comp'y according to its Ch
the exercise of which is not denia
any principle of Political Economy;
it is necessary, and would be
beneficial, as being the shortest wa
from Countries without its limits f
purpose of facilitating the inter
between Great Britain & these Cou
in the Exchange of the Manufacte
the former for the raw products
Latter.

a tendered shall return the same to
id Consignee or Conductor, indorsed
his Visa & Signature, under the seal
Company, to serve as a passport,
cible at every, but not questionable
ny other station of the Company,
only called Trading Houses, inter-
or exteriorily by any Governor or
officer or servant of the Company
n the limits of their jurisdiction.

4.

grant these Licences to a Company
itish Merchants, to be established
ondon under the name of "The
ry & Fur Company" which Com-
for the purpose of combining the
ry in the Pacific with the Fur
of the Interior from the East to
West Coasts of the Continent of
America, would at once equip
ers in England, & by means of the
ishments already made and in
ly, at Montreal in the East &
ced posts & Trading Houses in the
or towards the West Coast to
they might be extended & where
establishments to be made at King
e Sound Nootka Island, under the
tion of the supreme Government;
the River Columbia and at *Sea*
Harbour, under the protection of
ubordinate Government of those
would open & Establish a Com-
al Communication, through the
nent of North America between the
tic & Pacific Oceans, to the incal-
e advantage & furtherance both of
'acific Fishery & American Fur
of Great Britain, in part directly
art indirectly through the Channel
e possessions & Factories of the
India Company in China &c., it
perfectly understood, that none of
Maritime or inland Establishments
be made on territory in the posses-
of any other European Nation, nor
n the limits either of the United
s of North America or of the
on's Bay Company.

4.

There are at present, *vide* Mackenzie's Voyages, two Companies at Montreal, engaged in the North American Fur Trade, both of which are chiefly composed of men, who by personal exertions, no less hazardous than laborious & persevering, have contributed to the extension of it into formerly unknown parts; and who, if not the only men able to extend it to the Pacific, are at least the most likely to succeed, as the best qualified to undertake it. These Companies have not heretofore had any idea of embarking in the Pacific Fishery, but if they should succeed in combining the Fur Trade of the East with that of the West they would find it highly beneficial to combine the latter, if not both, with the Whale Fishery, and in so far as they may not be possessed of a Capital sufficient for carrying on both the Fishery & Fur Trade, they would be at no loss for Partners in London who would raise the deficiency.

The Whalers might carry out from England all the British articles Saleable or rather barterable for the furs and other Products of America, & bring back such part of the latter as would best suit the British Market; while other vessels of such a size & construction as may be found best adapted might be employed to carry the samples to Canton & such other of the Settlements of the East India Company, as offer the best Market, in the way either of Sale or Barter.

But as it is obvious that the two Companies already embarked in the Fur Trade from Montreal, including their several connections in London, must find their interest in coalescing, may that the great national object in view, in the first instance, if not wholly unattainable without, will at least be best attainable through, a voluntary connection & consolidation of the two Companies into one for such a number of years & on

such other terms as they may agree upon ; so is there not the least reason to doubt ; That under such Licences 1st of Fishing Trade & Navigation & 2nd of Transit, they would unite themselves & succeed equally to their own profit & to the public advantage.

LONDON 7th January 1802
ALEX. MACKENZIE.

No. 2.—SIR ALEXANDER MACKENZIE TO JOHN SULLIVAN.

(*Canadian Archives, Series Q., Vol. 293, p. 225.*)

MONTREAL 25th October, 1802.

SIR,—My Lord Hobart having done me the honour at parting, to express a wish of hearing from me, on this side the Atlantic, I take the liberty of addressing you, enclosing copies of two papers, which, on the substance of which, I presume will be transmitted through the Lieut. Governor, tho' not perhaps immediately, and which I beg leave to request, that you will please with this to lay before His Lordship. The papers will explain themselves, and I am sorry to say shew that I have not succeeded ; as also evince the improbability of my being able to succeed in bringing about the union between the two Fur Companies which my Lord Hobart so strongly recommended to me as the first step towards the accomplishment of my favourite project : Without the aid of Government, by granting the Licences (I had the honour of proposing) to one of the contending parties, with the condition that the other party should have the option of sharing, in the proportion of the Trade they might be carrying on, to that part of His Majesty's Dominions, I see no means of bringing about a coalition, for several years to come, by which time the Trade may be reduced if not ruined, and the opportunity of making the Western Establishment lost perhaps for ever.

I have conversed with General Hunter upon the subject and though averse to Monopolies of any kind, he agreed with me that no mode would answer to carry on that trade to advantage & to make the proposed Establishments, but through a Chartered Company. I had no promise from His Excellency that he would communicate this his opinion to His Majesty's Ministers.

As so little probability exists of bringing about in a reasonable time a Voluntary Coalition of the two Fur Companies, may I be permitted to submit to His Lordship's consideration, the expediency of securing at all events in a National point of view the means of hereafter giving efficiency to the favourite project alluded to, or any other which Government may think it eligible to countenance, by forming an immediate Military Establishment upon the Western Coast of North America, so as to prevent other nations anticipating us in an object, the importance of which cannot at present be foreseen in all its consequences.

And further I cannot too strongly entreat His Lordship's attention to the propriety & necessity of establishing as speedily as possible such a jurisdiction as shall prevent the contending Fur Companies from abusing any power which superiority of numbers or strength may accidentally confer, and which shall seem to each, the fruits of fair harvest and industrious exertion.

A jurisdiction possessing such efficient Judicial Control, besides having the most beneficial effects in general, might also be a means of promoting a speedier Voluntary Coalition of the Companies, by preventing a recurrence of those causes of increasing animosity which tend to keep them asunder.

It will not escape His Lordship's penetration, that in any Legislative interference upon the subject, it will be essential to avoid everything which could be

construed to confer upon the Hudson's Bay Company a Parliamentary sanction in regard to their doubtful charter, or which could give them the right of checking commercial enterprise from this quarter by the usual inland routes into any Territory which Traders from hence have been accustomed to occupy; although the same may nominally be included in the limits of the said Charter.

I had the honour of remarking to my Lord Hobart that an attempt had been made by one of the partners in the old Fur Company to penetrate in a more Southern direction than I did to the River Columbia in which he failed through ill health; a second attempt has been made by another partner of the same concern with no better success, owing to a mutiny of the men employed, arising as I judge from the want of an appropriate Talent for such an undertaking in the leader. I have been credibly informed that the Astronomer who went upon both expeditions declares positively that the object is not impracticable.

The communication to the Lieut. Governor through Mr. Ryland is clearly and decidedly the sentiments of the principal people of the new company of whom Mr. Richardson is one & a most valuable, active & respectable Magistrate of this City.

I have the honour to be with much respect,

Your Devoted and faithful Humble servant

ALEX. MACKENZIE.

(For enclosures, "John Richardson to H. W. Ryland" see Note E, No. 2 and "Presentment of the Grand Jury of Montreal," Note E, enclosure B.)

STATE PAPERS—LOWER CANADA.

Lieut. Gov. Milnes and Miscellaneous—1800.

Q. 85.

Abstract of warrants for the civil expenditure of Lower Canada, for the year ending on this day. Page 177

James McGill, Edward W. Gray, Simon McTavish and John Richardson, a committee to receive and remit the voluntary subscriptions for prosecuting the war, to James Phyn, John Fraser and Lawrence Brickwood, constituting them agents to receive and apply the remittances. The subscriptions amount to £4,063 16s. 4d. sterling, of which the sum £3,568 8s. sterling is remitted. 321

Enclosed. Resolution of the subscribers appointing a committee. 323

List of subscribers' names. 324

George Rose to King (?) Sends a request from Thomas Dunn, which he thinks moderate, and asks for his (King's) good offices for its attainment. 318

Enclosed. Thomas Dunn to George Rose. Asks for his good offices to obtain twelve months' leave of absence. 319

Ryland to King. Asking that an order may be obtained to continue the usual barrack allowances to the Governor or Lieutenant Governor of Lower Canada, to their Secretaries and Aides-de-camp and to the clerks in the Secretary's office. This has been ordered by General Hunter, but it is desirable to have it put on a more certain footing. Calls attention to the Indian Department in Upper Canada being entirely under the control of the Lieut. Governor. Whilst in Lower Canada it is under the commander-in-chief, so much so, that Dechambault, Deputy Indian Superintendent, was dismissed on accepting the office of Provincial Aide-de-camp (though the two employments were perfectly compatible) and the office given to an officer in the Canadian volunteers, whose regimental duties do not permit of his executing those of superintendent. 328

Rev. J. Bentick to same. Sends copy of the Lieut. Governor's speech to the two Houses of the Legislature and copies of their answers. 330

Lieut. Governor's speech (English, 335; French, 339). 335, 339

Answer of the Legislative Council. 331

Answer of the Legislative Assembly. 343

Ryland to King. Arrangements for provisions, &c., that will require to be made when the management of the Indian Department is transferred to the Lieut. Governor. 362

Bishop of Lincoln to same (?) That on his visitation he has been trying to find two clergymen suitable for Canada, and is not without hope he has succeeded, both are curates, one Rudd, a married man of 25, at Grantham, the other Sanders, single, about 28 or 29. Before deciding they wish to know the income as curates and the chances of promotion; where they are likely to be placed in Canada; what allowance will be made for the voyage or for books, &c., it may be right to take to Canada. Any further information would be useful. They have no private fortune or friends who could advance them money.

A. Newland to Portland. Has received bill for £2,942 11s. 1d., as a voluntary contribution from Lower Canada. When paid a certificate shall be transmitted. 348

1800.

July 6, Brodsworth. Rev. James Sutherland Rudd to King. That he intends to acce appointment in Canada. Desires to know the arrangements mad Pa

July 7, Quebec. Bishop of Quebec to Portland. His gratification that he has in measure anticipated His Grace's wishes as to the selection in Can young men for the Ministry. The training and character of Dr. S son. Had ordained him and Mr. Jackson, a schoolmaster from Er who had been preparing for some time for ordination. Mr. Stuar placed at York, all expectation of the return of Mr. Raddish relinquished. Mr. Jackson to be evening lecturer at Quebec. S immediate prospect of supplying the wants of the Church by a f selection of persons for the sacred office, few of those born here b educated as to fit them for the office and still fewer of those who to settle. Nothing effectual can be done till better means of edu are obtained. Without this not the Church only but the State very ill supplied with persons of competent ability and education. siderations on this subject had been submitted to the Council.

July 20, Grantham. Rev. J. S. Rudd to King. Had been informed by the Secret the Society for the Propagation of the Gospel that his (Rudd's) a ment had not been communicated to the Society. The cert required, &c.

July 22, Gower Street. Dr. Morice to same. The trouble that might have been saved Society had Mr. Rudd's appointment been communicated. H doubt he will be allowed a salary; he seems to be a prope Another clergyman in Deacon's orders had been brought b not appeared before the Board, which has some doubt of accepti services.

July 31, Bank of England. Nowland to the Duke of Portland. Sends certificate of rec £2,942 11s. 1d. Voluntary contributions from Lower Canada.

August 4, Sheffield. J. Wilkinson to King. Asks for information as to the conditi which clergymen are required to go to Canada, on behalf of a you who is desirous to go there as a missionary.

August 6, Austin Friars. P. & H. LeMesurier to same. Applications on behalf of Philip who has sent a memorial on the subject of raising hemp in C Character of Mr. Robin; the necessity of Government help owing length of time it takes to have a pecuniary return from the culti of hemp. Mr. Robin has £10,000 to invest in the industry if he r encouragement, but all the arrangements must be made with the Government, as he does not wish to be involved with conflicting i in Canada.

August 7, Quebec. Milnes to Portland (No. 29). Sends Naval Officer's retu vessels entered and cleared at Quebec, between 5th April a July.

August 8, Quebec. Same to same (No. 30). In consequence of reports respecti crops and grain remaining for sale, has referred the subject Council with a memorial from the principal merchants; e report of Council, &c. Has recommended the sailing of the co the 20th instant. Favourable prospects for the harvest.

Enclosed. Order of reference on the memorial of merchants.

Report of Council on the same.

August 12, Quebec. Same to same (No. 31). St. Maurice Forges leased to Monro for five years at £850 currency a year. Part of the King's Wh for 30 years at £310 a year; the other part of the wharf, with th reserved for military purposes, effecting a saving on the latter a year. The Forges and wharf which did not produce £20 may now be valued at £1,500 currency or £1,404 sterling a year adopt a similar plan with respect to the King's posts, the reve

1800.

which have been given up in aid of the civil expenses of the Province. The annual value of the posts he hopes to raise to £2,000 or £3,000 a year; the present lessees pay only £400. Has reason, from the election returns to hope that the House will be well composed. Page 8

gust 14, Milnes to Portland (No. 32). Sends minutes of Council on State busi-
ebec. ness between 28th January and 4th June, and on Crown Lands from the same date to the present day. 11

Minutes, 3rd March. Report on the petition of Johnston & Purss for renewal of their lease of the King's Wharf. 12

Minutes, 22nd March. Memorial from Monro & Bell, for prolongation of the lease of the St. Maurice Forges laid before Council; with proposed advertisement respecting the Forges; referred to a committee. 14

Report of Committee on Public Accounts with proceedings, beginning on the 19th October, 1799, with details. 15

Reports of the Grand Voyer recommending a bridge over the Montmorency; from the Grand Voyer of Three Rivers respecting the cost of mason work for a bridge over the Rivière du Loup; letter from the Commissary recommending that part of the King's Wharf at Quebec be reserved, and representations from the Magistrates of Montreal and Quebec on the breaking out of contagious diseases, referred to Committee of the Whole. 36

Accounts of the Receiver General and of the Collector of Provincial duties, with contingent claims, referred to a Committee of the Executive Council. 37

Minutes, 13th April. Statements, with schedule of Provincial revenue and expenditure laid before the Board. 38

Minutes, 24th May. Report of the Board on Provincial revenue and expenditure. 40

Report on the Commissary General's recommendation that a part of the King's Wharf should be reserved. 41

Report on the bridge at Three Rivers (p. 36). 43

Report on the bridge at Montmorency (p. 36). 44

Report respecting the St. Maurice Forges (p. 14), with correspondence and offers from Monro & Bell, and the Batiscan Iron Co. 45

Recommendation that steps be taken to erect Parsonages or Rectories in the Province according to the establishment of the Church of England. List of clergymen of that Church in the Province, signed by the Bishop. Rev. Mr. Mountain Bishop's Official, Minister at Three Rivers; S. J. Mountain, Rector of the English Church at Quebec; Mr. Tunstall, Rector of Christ Church, Montreal; Mr. Doty, Minister of William Henry: Mr. Short, Minister at St. Armand; Mr. Montmollin, formerly Minister of the English Church at Quebec, and still retaining salary from Government, superannuated; Mr. Veyssiere, formerly Minister at Three Rivers, and still retaining a salary, superannuated. 53

Minutes, 28th May. Report recommending the payment of a hundred guineas each to Dr. Longmore and Dr. Jones for attending the families of the poor afflicted with late contagious fever in Quebec and Montreal. 55

Proclamation for dissolving the present and calling a new Assembly, revised and ordered to be published. 56

Minutes on Crown Lands, 14th August, 1800. Report on petitions for townships, with the result in each case, and proceedings of the Committee. 61 to 164

t 14, Milnes to Portland (private). Has received from Judge De Bonne a
c. vindication in answer to the complaint of the Chief Justice of his non-attendance at the Courts of Justice. Asks that a decision on the case may be postponed till the documents can be sent. 165

1800.

August 14, Quebec. Milnes to Portland (separate). The examination of the petit townships ended and report made, so that the most difficult and ous part of the land business is concluded. Every petitioner co be satisfied, but everything submitted to him (Milnes) has been by strict integrity. The principal labour has fallen upon th Justice, as chairman, the Lord Bishop, Finlay, Baby, Dunn and Attendance of the other members. Recommends granting a to to each of the six mentioned, for reasons given. If this is not a of suggests granting half a township without conditions except the cost of survey and the old fees. Will transmit by the F his views respecting township of which parts have been g Finlay and Dunn have received grants of township on the regula but this should not prevent them getting the additional grant a bers of the Executive Council. P

August 26, London. S. Gale to Portland. Calling attention to the memorial on b applicants for lands, &c.

(An enclosure will be found in this volume, page 354, in lett 7th July, page 349.)

October 1, Quebec. Ryland to King. That Lieut. Governor has received Portla patches, but will postpone answering them.

October 18, Quebec. Memorial of Chief Justice Osgoode, for arrears of salary, occurred owing to his removal from Upper to Lower Canada.

October 18, Quebec. Milnes to Portland (private). Transmits answer of Judge De B the charge made against him by the Chief Justice. The steps taken bringing on a public investigation, which would have renewed th spirit existing at the time of his arrival. Sends register of the S Court for three years, referred to by De Bonne, as in his favo Bonne's loyal conduct. Although he was remiss in not making to the Chief Justice the reasons for his non-attendance, yet, con all things, contents himself with stating the particulars and wa structions.

Enclosed. Answer in (French) of Justice De Bonne, dat August.

Extract from the complaint of the Chief Justice.

Register of the attendance of the Judges for the terms of th held during 1797, 1798, 1799 and to April, 1800, showing the nu days Messrs. Dunn and De Bonne were absent.

October 18, Quebec. Milnes to Hunter. Asking if the expenses of the Indian Dep should not continue to be paid in Lower Canada out of the Arm ordinaries.

October 19, Quebec. Hunter to Milnes. That the Indian Department is entirely u control of the person administering the Government of Lower but the payment of the department out of the Army extraor need cause no inconvenience.

October 25, Quebec. Milnes to Portland (No. 33). Sends requisition for goods Indians for the years 1801 and 1802.

Requisition.

October 25, Quebec. Same to same (No. 34). Sends Naval Officer's returns of entered and cleared at Quebec, between the 5th of July and t instant.

October 25, Quebec. Same to same (No. 35). Transmits memorial from the commi for building a Metropolitan Church; the estimate of the exp £4,925.19.6., exclusive of articles unprovided for. The expens care of the commissioners has been made as low as possible. Sh sum of £400 a year allotted for the building be adhered to, it w twelve years to complete the work. Having advanced £800 for last year the foundation is laid and part of the materials bou the representations of the commissioners is acceded to, the mos

tial part of the building will be completed in the course of next year. Page 196

Enclosed. Memorial of the commissioners for building a Metropolitan Church. 198

Abstract of the estimate for building an English Metropolitan Church at Quebec, 130 feet long, 60 feet broad and 34 feet high from the basement. 200

6, Chief Justice Osgoode to Portland. Thanks for His Grace's kindness and for His Majesty's approbation. Had desired to return immediately to England, but would remain until next summer in accordance with the King's desire, and shall on his arrival in London wait on His Grace. 201

7, Ryland to King. Sends copy of application from Monroe & Bell and answer, respecting arrears of salary to Sinclair, Lieut. Governor of Michilimakinak from May, 1792. The letters from Long of April, 1798, and April, 1799, relative to this subject have been taken to England by Prescott, only unattested copies have been left in the office, and it does not appear from them out of what fund these arrears can be paid, and as the pay and arrears amount to £1,400 he feels it incumbent not to advance the money. Calls attention to the fact that Dechambault's commission as Deputy Superintendent of Indians is still in force. 203

Enclosed. Application from Monro & Bell, dated 20th October, for the issue of a warrant for the pay and arrears of Lieut. Gov. Sinclair. 205

Answer by Ryland, dated 27th October, that the documents in the office of the Lieut. Governor do not justify the issuing of the warrant. 206

Ryland to Major de Salaberry, dated 4th October. That the Lieut. Governor considers the commission to Dechambault as Deputy Superintendent of Indian Affairs to be still in force, but he gives up all claim to the salary during the time he (de Salaberry) has been performing the duties of the officer on the existing condition, that £30 a year be paid to the widow of M. Lannière. 207

28, Milnes to Portland (private). Transmits list of the Executive Councillors of Lower Canada, with note of the attendance of each. Recommends the appointment of three additional honorary members for reasons given, the three recommended being Williams, Craigie and Panet; account of the qualifications, &c., of each of them. 209

List referred to. 213

Names of gentlemen recommended for the Council. 215

Monk to Portland. Asks for an increase to his salary as Chief Justice. 216

30, Milnes to Portland (No. 36). Has sent to Lieut. General Hunter the instruction that the appointment of the officers for the Indian Department in Lower Canada is vested in the Governor, Lieut. Governor or administrator; believing that no change was to be made in paying out of the Army extraordinaries, had applied to Hunter, but was answered that as Commander-in-Chief he had nothing to do with it, being now a civil expenditure. Sends list of appointments. Should no order be received to pay the salaries out of the Army extraordinaries, he would issue a warrant on the Receiver General. Desires also to be informed if he is to draw provisions and other articles from the King's store for the Indian Department. Should it be decided that the officers are not to have barrack allowance, as not being on the military establishment, trusts that they may receive an equivalent allowance. The change the transfer will make in accounts, although not in expense, will not be a great difference in the estimate of the civil expenditure. The actual

1800.

increase in this expenditure owing to the erection of gaols and cour houses undertaken at His Majesty's command. The addition to th salaries of the puisne judges will be nearly made up by the increase revenues from the Forges and wharf. In consequence of the price o fuel for the use of the Chateau, &c., being stopped by the Duke of Ken has charged the same to the Provincial revenues, and made an allow ance to the persons in the Secretary's office. Page 21

October — Whitehall. Portland to Milnes. (No. 10). Dispatches laid before the King Approves of his declining to interfere in the early sailing of the "Mai stone," although the want of corn was felt in Great Britain. It is satisfaction that there is the prospect of an abundant harvest in Canad The manner in which the leases of the St. Maurice Forges and the King Wharf have been granted is entirely approved of as well as his intentio to the public revenues. The letter transmitted to the Treasury. 1

October — Whitehall. Same to same (separate). Will postpone a first determination o Justice De Bonne's case, till the arrival of all the documents (see p. 165 Before deciding on the grant to the Executive Councillors (see p. 168 desires to be informed of the relative value of half a township witho such condition. His Majesty will rely entirely on his (Milnes') judg ment in the distribution of the proposed grants to those who have a those who have not attended the meetings of the land committee reg larly. Those who have not attended at all cannot expect a share of th favour. 1

November 1, Quebec. Milnes to Portland (separate). His belief that the real situation affairs in Canada is not known to His Majesty's Ministers. The found tion of the constitution must rest on the proportion between the ar tocracy and the lower orders; several causes are lessening the power the Government. 1. From the manner in which the Province w originally settled; the independent tenure on which the cultivato hold their lands, the little power retained by the seigniors, their ind position to trade to improve their fortunes, so that they are compelled live like the simple *habitants*, who have little connection with th seigniors except the obligation of having the corn ground at the Can mills, the passing a toll of each fourteenth bushel, which they consid rather as a burdensome toll than as a return for the land, which is held very easy conditions. 2. The prevalence of the Roman Catholic religio and independence of the Church, which goes further than was intende by the Royal instructions, so that the whole patronage has been throw into the hands of the Roman Catholic Bishop. 3. The necessity whi existed at the time of the conquest for disembodying the militia. Thes facts are more important since the establishment of the new constitutio Formerly an ordinance issued in name of the King of France was suf cient to enforce the execution of a measure without argument or doub Now measures are discussed in the House of Assembly, so that the pow of the executive government may insensibly become nothing; t seigniors have not power to ensure their own election or that of any s they may support; the ignorant man, who cannot perhaps sign his nam has a better chance than the first officer of the Crown and he at one tim despaired of getting the Attorney General into the Assembly. T *habitants* are industrious, peaceable and well disposed, but liable be misled by artful and designing men, and once sensible of th own independence the worst consequences might follow, as they the sole proprietors of nearly all the cultivated lands in Low Canada, the seigniors and ecclesiastical bodies having conceded them for ever the greater part of the lands in parcels of from 100 200 acres, with conditions as to mills, &c. So that the seigni are in many instances reduced below the situation of their vass

The equality of situation throughout the country owing to the mode of life of the *habitants*, little or no difference in affluence being discoverable except in the towns of Quebec, Montreal and Three Rivers. The counties are divided into parishes, the principal person in each of which is the priest and the next the captain of Militia. How the influence of the Government might be extended; it must be at some expense, but that would be little compared with the cost of quelling a disturbance. Much could be effected by means of grants of lands in free and common socage, but in the meantime much might be done through the Catholic priests and next through the Militia. The present Bishop is extremely well disposed; he has £200 a year from the Government, and the rent of the Palace for public offices, for the latter of which he has applied for an increase. His income, the Bishop states, is now inadequate for his situation and the calls upon it. An increase to this might help to attach the Bishop and the priests to the Government and to use their influence in the parishes, encourage a spirit of loyalty in opposition to the spirit of democracy, which has fortunately not made much progress yet in Canada. The population computed to be about 160,000, nine-tenths of which reside in the parishes, the Militia 37,904, with 292 captains and 16 of a staff, the latter chiefly seigniors. The powers of the Captains under a French rule, the feeling of which remains though the power is withdrawn, but they are still employed in performing services for Government with only the sense of the honour of being so employed, but this is by no means equivalent to the expenditure of the time and trouble. Suggests that by some honorary and pecuniary reward, or by some other plan, this class might be brought to consider themselves as officers of the Crown; in this way a spirit of loyalty would be diffused through the whole province, a spirit which is natural to the Canadians. Other suggestions might be made but these he will defer. In the meantime calls attention to the relative expenditure for civil and military purposes, the latter out of proportion to the former, whilst by a proper system not only would the military expenses be greatly lessened and the country secured from internal commotion, but the co-operation of the inhabitants could be secured for the defence of the country. The deficiency of the revenue on an average of the last five years amounts to £12,000 yearly; the military expense is about £260,000, which would probably be doubled in event of insurrection, or of war with the States, so that it is important to consider by what means the influence of the Crown may be increased. How a majority in the House of Assembly could be secured. The importance of the fact that the revenue does not meet the expenditure so that the deficiency is made up by His Majesty's Government. The proposal to fund the proceeds of the sales of waste lands, the interest to be applied towards civil expenditure. Calculation as to the wealth, power and influence that must accrue to the parent State when these lands are settled. The good effects of education on the rising generation, who are now sent to the neighbouring States for this purpose. The respectable footing on which the Protestant Church is about to be placed in Quebec will tend to increase the consideration which ought to prevail for the Established Church. Page 228

1800.

Enclosed. Memorandum of the total quantity of lands granted in Canada previous to the conquest, with the proportions thereof granted to the Church and Laity:—

Total		7,985,470.
To the Church.		
Quebec Ursulines	164,615	
Three Rivers Ursulines	38,909	
Recollets	945	
Bishop and Seminary of Quebec	693,324	
Jesuits	891,845	
St. Sulpiciens	250,191	
General Hospital, Quebec	73	
do Montreal	404	
Hotel Dieu, Quebec	14,112	
Sœurs Grises	42,336	
	2,096,754	
To the Laity	5,888,716	
		7,985,470

Page 245

Statement of the revenues and expenditure of the Province of Lower Canada, for five years beginning in 1795. 246

November 4, Quebec. Milnes to Portland (No. 37). The importance of obtaining the highest price possible for the lands to be first sold; the remaining parts of the townships partially granted are of the greatest value from having been surveyed and subdivided and the vicinity settled. The competition for these should essentially influence the value of lands throughout the Province. Recommends, in reference to a dispatch respecting the waste lands, that the proceeds of the sales should be used to purchase into the Public Funds, the interest of the stock to be applied in aid of the civil expenditure of the Province. Trusts that the proposal to form out of the Executive Council, a corporation for the superintendence and management of the Crown and Clergy Reserves. Sends documents relating to the release of the King's posts, which shall be advertised for public sale on the expiration of the present lease in October, 1802. Transmits copy of proceedings of the commissioners for the Jesuit estates. They have not ascertained their exact yearly value but compute that in case will fall short of £1,500. 248

Enclosed. Memorandum by Ryland, of the proposal to form a Board from the Executive Council for the management of the Crown Lands. 251

Reference to Council of the lease of the King's posts. 252

Report by Council on the same. 254

Abstract of the proceedings of the commissioners for the administration of the estates of the Jesuits. The agents named were Michel Berthelot, for the district of Quebec, Maurice Blandeau for the district of Montreal, and Mr. Joseph Badeau for the district of Three Rivers, who were to give security for the due discharge of their office, the two first, with two securities each of whom and each of the securities in £750, and Joseph Badeau and two securities £500 each, the agents to be allowed 10 per cent on all moneys collected. The report of the proceedings, began on the 9th June and continued to the 20th October, 1800, covers 16 pages. 256 to 271

Letter submitting the preceding report. 272

November 6, Quebec. Milnes to Portland (No. 38). Transmits memorial from the Chief Justice of Montreal respecting his salary. In dispatch No. 19, he declined to recommend an increase. Has no reason to change his opinion. 274

Memorial of the Chief Justice. Page 276

Ryland to King. Calls attention to the necessity of a commission as Vice Admiral being issued to Milnes. 275

Milnes to Portland (No. 39). Louis Couteulx, lately apprehended in Upper Canada, has been brought to Quebec; sends report of the Attorney General on his case. Had written to Liston for full information respecting Couteulx; being Hunter's prisoner will not write further to His Grace. 278

Enclosed. Reference to the Attorney General of the case of Le Couteulx. 280

Report by the Attorney General that Le Couteulx may be detained as a prisoner of war, and that his allegation that he became a naturalized citizen of the United States does not affect his status as a French subject. 281

Milnes to Portland (No. 40). Transmits minutes of Council on matters of State, between the 5th of June and 10th of September. 285

Minutes, 21st July. Memorial that H.M.S. "Maidstone" may take the grain laden vessels under convoy on the 10th of August, laid before the Council, with returns of the exports of grain, &c., from 1792 to 1799, and from the beginning of navigation this year to the 17th November, documents respecting the crops, &c., all of which were referred to a committee. 286

Minutes, 28th July. Report of Committee on the reference of 21st July laid before Council, with memorial from merchants respecting the loss they would sustain by delay in the sailing of the convoy, with documents relating to the crops and to the stock of grain. Report on an infectious fever prevailing in Bécancour and Nicolet, and memorial from Purss and the heirs of the late J. Johnston, respecting the wharf erected by Johnston & Purss referred to a committee. 287-288

Minutes, 14th August. Report of a committee respecting ecclesiastical affairs. 289

Reports respecting the sailing of the convoy. 292-293

Lease of the King's posts on the Labrador Coast and other documents laid before the Council. 295

Minutes, 10th September. Report on the infectious fever in the parishes of Bécancour and Nicolet. 296

Report recommending that the sum of £150 currency for arranging records be paid to J. F. Perrault, instead of £561. 4. 8. claimed. 297

Memorial of Jervais Lambert, inspector of Sous Voyers, and of other inhabitants of Rivière du Loup, with report of the Grand Voyer, respecting the bridge over the Rivière du Loup referred to a committee. 298

Ryland to King. Encloses copy of letter addressed to Major Green, agent for Prescott, on the subject of the Governor's fees of office. The Lieutenant Governor desires instructions thereon. 300

Copy of letter to Green referred to in above letter. 302

Prescott to Portland. Encloses letter from Lymburner respecting a memorial lately forwarded from that gentleman. 304

Enclosed. Memorial from Lymburner, dated 12th April, 1800, respecting the refusal of the Councillors of Lower Canada to admit him to a seat in the Council. 305

Prescott to Portland. Encloses letter from Gale, attorney for aggrieved applicants for lands in Lower Canada, with copy of memorial referred to in the letter. The matters in the memorial are just and true and the documents referred to in it were among those enclosed in No. 87 of 23rd October, 1798. Those marked E, referred to Orford and Stukely; F, those relating to Shefford; G, to Hatley. The whole of

1800.

Gale's proposals are perfectly reasonable, including the fourth prayer, a which at one time he had doubts. Favourable recommendations, fo reasons given. Page 30

Enclosed. Memorial from S. Gale, dated London, 17th December 1800. 31

(For memorial from Gale and other documents relating to his com plaints, see Q. 90, from page 47 to page 212.)

Copy of a short memorial to the Privy Council sent to Prescott, date 28th November, 1800. 31

Additional documents. 349, 35

STATE PAPERS—LOWER CANADA.

Lieut. Gov. R. S. Milnes—1801.

1801. January 6, Whitehall.

Q. 86—1.

Portland to Milnes (secret and separate). Enumerates the cases popular influence stated in letter from Milnes of the 1st Novembe namely, the separate interests of the seigniors and habitants, the inde pendence of the Roman Catholic clergy, who are accountable only t their Bishop, and third, the necessity of disembodying the Canadia Militia. With regard to the first, the only remedy is to encourage th individual Canadian gentlemen who show an ambition to emerge fro their present insignificance. Is surprised at the little success in raisin the Canadian Militia; had any eagerness been shown in completing th battalion a second or third of the same sort might have been raise With respect to the Roman Catholic clergy, cannot understand why th instructions are disregarded. These are: "That no person whatever "to have Holy Orders conferred upon him or to have the care of soul "without licence first had and obtained from the Governor." The r sumption of that power is of the first importance and every possible pr dent means must be used to that end, and the addition to the income the Bishop may contribute to its accomplishment. How the militia coul be turned to account. At present there is no provision for calling out th force, except for two days in the year for mustering. Proposes to call portion out annually by ballot to be exercised for three weeks or a mont in such manner that all the officers and men would take their regular tur of duty. This would require the permanent pay of an adjutant to eac regiment, of a certain number of non-commissioned officers, fifes an drums as in the militia of the United Kingdom. Other appointmen may be made to provide for the annual exercise. He only suggests a outline of the proposed legislation most likely to establish the intere between the militia and the executive authority; if he thinks the amen ments will meet the concurrence of the Legislature the sooner they a put into proper form the better The effect of the land grants in lesse ing the degree of popular influence now possessed by that description His Majesty's Canadian subjects, which now constitute so great a propo tion of the inhabitants of the Province. Page

January 8, Quebec.

Milnes to Portland (No. 41). Transmits memorial from Sewe Attorney General, with documents attached, respecting the fees of h office. Has every reason to believe that Sewell's claim is well founde recommends favourable consideration of the claim, which does not exte to an increase of salary but only to the confirmation of what was former allowed. Does not, however, mean to enter into the claims of Mo or of Sewell, previous to the present memorial. The laborious duties the Attorney General for Lower Canada, from the complicated nature the laws. It seems hard that the emoluments of the office should not least be equal to those of Upper which is not in any degree so laborio

801.

and intricate. Had Monk been as moderate in his demands as Sewell, the remuneration would, no doubt, have been fixed long ago. How the fees might be settled. Page 17
Enclosed. Sewell's memorial, 28th October, 1801. 20
Case of the Attorney General of Lower Canada. 23
Commission appointing Sewell Attorney General, dated 3rd February, 1795. 36
Mandamus and commission to Monk, 21st August, 1776, and 27th May, 1779. 39, 40
Suckling's commission, 24th August, 1764. 43
Mazere's commission, 25th September, 1766. 45
Kneller's commission, 30th September, 1769. 47
William Grant's commission, 10th May, 1776. 49
Report of Committee of the whole Council, on the office of Attorney General, 29th April, 1788. 51
Report of the Committee of Council on Public Accounts, 15th January, 1780. 53
Extract from the Ordinance for the regulation of fees, 20th George III, ch. 3 (1780). 55
Extract from report of the Committee of Council on the Public Accounts, dated 20th July, 1780. 57
Extract from report of Committee of Council on the salary and emoluments of the Attorney General, 9th November, 1780. 59
Extract from another report, 27th July, 1781. 60
Letter, dated 2nd January, 1782, from Mathews, Secretary to Haldimand, addressed to the Committee of Council on Accounts, enclosing letter from the Lords of Trade relative to fees claimed by the Attorney General. 62
Letter from the Lords of Trade referred to. 63
Report of the Committee of Council on the same, dated 18th February, 1782. 64
Further report on the Attorney General's Account, dated 24th October, 1782. 66
Opinion, dated 2nd June, 1784, of the Committee of Council that the Contingent Accounts of the Law Officers should be taxed by the Judge or Judges of the Courts where the business has been done. 68
Monk to Thomas Dunn, one of the Commissioners for executing the office of Chief Justice, dated 28th October, 1784, remonstrating against the delay in payment of his fees. 69
Answer, same day. 70
Resolution of the Council, 26th May, 1785, to allow Monk the fees charged. 72
Memorial of the Attorney General referred to a Committee of Council, 14th February, 1788. 74
Report of the Committee, 29th April, 1788, on the claims of the Attorney General for fees of office. 75
Extract from Minutes of Council, 20th January, 1790, that payment to the Attorney and Solicitor General had been deferred until His Majesty's pleasure be known. 78
Proceedings of Council of 21st and 28th and report of 21st January, 1799, respecting Attorney General's claims. 79 to 82
Account between Government and the Attorney General (Sewell), from 1795 to 1800. 83
Green, Military Secretary to Sewell, 7th October, 1800. That the salary of the Attorney General of Upper Canada is £300 and enclosing his account, audited to show the scale of fees. 86
Account referred to. 87

1801.

Table of fees which the Attorney General considers would be reasonable. Page 90

January 10, Quebec. Speech of the Lieut. Governor at the opening of the Legislature. 118
Answer of the Assembly, dated 12th January. 123
Answer of the Council. 128
(The Journal of the Assembly printed in English and French forms part of the Archives.)

January — Whitehall. Portland to Milnes (No. 11). Dispatches received and laid before the King. In order that the commissioners may proceed in building the Metropolitan Church at Quebec without interruption, he may authorize the expenditure of such sums as may be necessary above the £400 already specified as the annual allowance, but the Protestant inhabitants are expected to contribute as far as their means may allow. General Hunter shall be informed that it is not intended to make any change in the method of defraying the expense of the Indian Department in Lower Canada. The object of placing it under the civil authorities in each Province is to reduce the expense by subjecting it to more minute attention. The allowance to the officers should be reduced in both Provinces as low as circumstances will admit. Approves of his proposal of selling the residues of townships in which grants have been made at the highest price possible; the steps to be taken to effect this. The amounts remaining after expenses for public services, &c., are to be remitted to the Treasury for investment. All the price to be paid before a patent issues for the lands. The constitution of a Board for the management of the Crown and Clergy Reserves; how the revenues should be remitted to be invested in the Funds for the public service of the Colony in so far as regards the former and in accordance with the Act for the appropriation of the latter, the accounts of each to be kept entirely separate, the Clergy Reserves being exclusively appropriated for the support of a Protestant clergy, and must therefore be vested in trust for that purpose. Sends report received from the Executive Council on the terms on which it was considered expedient to dispose of the Crown Reserves, in which report he perfectly concurs. Orders have been sent by the Admiralty to the Naval Commander at Halifax to send a frigate to convoy the trade from Quebec to England. 10

February 23, Quebec. Milnes to Portland (No. 42). Transmits reports from the commissioners for managing the Jesuit estates. The first (A) shows the revenue in 1781 to have been £1,245 5s. 4d., exclusive of property in Quebec and Montreal; the second (B) that it had increased to £1,358 13s. 4d. The property is capable of great improvement, and there are 500,000 acres of unconceded lands, but these are in general 20 leagues in depth and not more than one or two leagues in front, great part running into a mountainous country and not likely to be conceded for a long period. Does not now, therefore, think that the measure for the division of the property, which he proposed, would be beneficial. If it is determined to carry into effect the proposal in respect to Lord Amherst the moment is particularly favourable, but it will be always an unpopular act and create much dissatisfaction. His Majesty's intention to establish free schools has been made public in his (Milnes') speech and has had the happiest effect in setting aside all reference to the Jesuit estates. The Assembly is preparing a bill to secure the views of His Majesty, to authorize the erection of schools in the parishes to be under the control of the Executive Government. Should the Roman Catholic clergy not use their influence against the proposal, it will probably be adopted, but they seem to have hitherto discouraged the introduction of learning into the Province. The buildings and town lots in Quebec and Montreal, to be reserved for the Crown may be considered as more than an equivale

for the expense attending the first establishment of free schools. This is shown in enclosure C, in which the Jesuit College at Quebec, now in possession of the military, is mentioned as being sufficient to afford barrack room for from 1,500 to 1,800 men, besides store room for immense quantities of provisions. The Canadians must consider themselves as cut off from all hope of seeing that building restored to its original purpose, so that by the declaration of the intention respecting the establishment of free schools, the hope of an adequate advantage is held out. Shall refer to the Council the question of the quantity of Crown lands it may be necessary to reserve for education, and transmit their report. Page 94

Enclosed. Plan of the Jesuit estates in the Province of Quebec. 98*a*

Reports of the commissioners, with tabular statements. 100 to 117

ry 23, Milnes to Portland (No. 43). Calls attention to the absence of Joseph Bunbury, drawing the pay of Deputy Agent for Indian affairs at Montreal, though he has been absent since 1799. Reports the office vacant and recommends the appointment of Lieut. Colonel Dechambault deputy superintendent of the Abenaki and St. Francis Indians, and the appointment to that office of Major de Salaberry. In hope of these being approved of will issue commissions so that the business of these departments may be transacted. 132

ry 24, Same to same (No. 44). Dispatches received. Shall take steps to recover from Finlay the balance due to the General Post Office, but is afraid there is not property sufficient to meet the demand against him. Sends estimated value of the waste lands as a guide to the proportion of land to be granted to the members of the Executive Council. A township of ten miles square, after deducting expenses of surveying, &c. (enumerated) has an estimated value of something under £2,500. Explains how the regulation respecting grants to associates was set aside by underhand means, which it would be below the dignity of an Executive Councillor to enter into; recommends, therefore, that any grant should be made to the members of the Council solely and not with associates. 134

17, Same to same (No. 45). Calls attention to the case of Michel Kiatherati, an Indian convicted of murder in March, 1799, and sentenced to be executed on the 22nd of that month, but respited by Prescott, till the King's pleasure should be known. Recommends him to clemency. 137

26, Same to the same (separate and secret). His fear that the unanimity of the Council will be destroyed, as he can no longer depend on the candid co-operation of Chief Justice Osgoode. His (Milnes') conciliatory conduct towards Osgoode, until he had assumed a deportment and manner pointedly disrespectful, and afterwards violently to oppose a measure of great importance to the Province. His conduct in part arises from the refusal to dismiss Judge De Bonne, whose conduct since complaints were made has been satisfactory. Osgoode's desire to be the sole adviser and promoter of every Government measure and the offence he takes at other members being listened to. He has now thrown off all decorum and shown his hostility to his (Milnes') administration. His refusal to assent to the means proposed is not considered reprehensible, but his conduct in respect to it is so. Enters into details in relation to the bill respecting Court House on which the difference with Osgoode has arisen, a bill which was satisfactory both to the Council and Assembly and points out the awkwardness of the Lieut. Governor's position in view of the procedure of the Chief Justice. 142

0, Same to same (No. 46). Enters into an explanation of his course in relation to appointments in the Indian Department in answer to the Duke of Kent's representation that these are subject to the patronage

1801.

of the Commander-in-Chief. Gives reasons for the appointments he
made of Dechambault and de Salaberry. Page

April 16, Quebec. Milnes to Portland (No. 47). Sends abstract of bill relating to *lods ventes* and report on the subject from the Attorney General, the lat sent in consequence of the opposition and protest of Osgoode. Agr with the Attorney General that it is not only a matter of sound poli but that the bill is a material step towards abolishing the feudal ten in the Province, as will be found fully explained in the report of Attorney General. The *lods et ventes* are due to the King by only a f whilst they are paid to the seigniors and the two Seminaries of Quebec Montreal by 99 out of every 100 persons, any tax which the Crown mi seek to raise on the whole body of the people might have been deemed just, so long as the *lods et ventes* due by the seigniors and Seminaries rem unclaimed. Has heard no indication that the measure is unpopular besides it originated in the Assembly and not in the Executive Coun Dorchester's message giving His Majesty's sanction to this interferen The respectable character of the Commission under the Act. It expected that a bill will be introduced next session to commute *lods et ventes* in His Majesty's censive, which it is hoped will be follow by a similar commutation as it will render it necessary for the Hous raise this sum leaving the territorial revenues free to be used for general expenses of the Province.

Enclosed. Abstract of "Act for the relief of persons holding lands "immovable property of His Majesty *en roture* in which *lods et ve* "or mutation fines are due."

(The Act itself is in the third volume of the Statutes, 41 George (1801), chapter 3.)

Chief Justice Osgoode's protest.

Report of the Attorney General, dated 4th April, 1801,

Account of the Provincial revenue of the Crown from the beginn of the new Constitution to 10th January, 1794.

Extract from the Journal of Assembly of 26th January, 1801, w resolution to take up Message of 29th April, 1794, in so far as it rela to casual revenue, that of the domains and the *lods et ventes* and *qu* due to His Majesty.

Answer by Members of the Council to Osgoode's protest.

May 15, Quebec. Milnes to Portland (No. 48). Giving an account of the irregular duct of Osgoode in relation to the resolution to prepare a *papier ter* (land roll) of the immovable property held *en roture* within the *cen* of His Majesty's domain, with accompanying documents.

Enclosed. A.—Address of the Assembly for the preparation *papier terrier*, ordered to be presented. Referred to the Attorney Solicitor General.

B.—Report of the Attorney and Solicitor General.

C.—Order of reference in the Council respecting the legal cours be taken for the confection of the *papier terrier.*

D.—Report of a Committee of the whole Council on the means posed by the Attorney and Solicitor General for the confection of *papier terrier.*

(For continuation of list, see Q. 86–2.)

June 6, Whiteball. Portland to Milnes. His dispatch (No. 42) relative to the Je estates, transmitted to the Privy Council. Appointments of Dechamba and de Salaberry (No. 43, p. 132) approved of. In consequence of the culation of the value of lands (Nos. 44, p. 132) the six councillors who h been constant in their attendance at the meetings of the Land Commi are each to receive quarter of a township without associates. It is to his discretion to decide what share should be allotted to Mr. McGill

Mr. Lees and if any to the other councillors. His Majesty has been pleased to pardon Michael Kiatherati. Page 139

(For date (the day being left blank) see page 138.)

Extract of letter from Milnes to Portland (No. 37) calendared in vol. Q. 86, p. 248, that the yearly value of the Jesuit estates has not yet been exactly ascertained. 2

LIEUT. GOV. R. S. MILNES—1801.

Q. 86—2.

Journals of the Legislative Assembly, being the first session of the third Provincial Parliament. Page 353 to 458

Journal of the House of Assembly for the same period; title only. 459

The Provincial Statutes of Lower Canada; title only. 460

(The Journal and Statutes, being among the Archives in printed form, are not copied.)

Continuation of papers relating to the *papier terrier*, &c., in Milnes' letter No. 48, dated as in margin E.—Copy of writing attached to the report of a Committee of the whole Council respecting the legal course to be taken for the confection of the *papier terrier*, &c. 219

F.—Minute of Council respecting the legal course, &c. 221

G.—Report of a Committee of the whole Council on the writing subjoined to their report. 223

H.—Minute of Council, communication and report on the protest signed by the Chief Justice. 227

Milnes to Portland. Sends dispatches and duplicate by a corn ship. 240

Ryland to King. Asks for the regulations of Trinity House respecting pilots. 241

Milnes to Portland (No. 49). Sends exemplifications of the Acts passed last session and copies of the Journals of Council. Remarks on two Acts. 1. To explain and amend the law respecting last wills and testaments. Sends copy of the Attorney General's opinion, of the protest of Chief Justice Osgoode, and observations by P. L. Panet. 2. The Act relating to *lods et ventes*, already fully written on. Three bills were reserved for the Royal assent. 1. "An Act to declare the decisory oath or *serment decisive*, admissible in commercial as well as other civil matters in this Province." Cannot advise its receiving the Royal assent. 2. The bill for the establishment of free schools, which is not all he could wish, but as it may lay the foundation for a more approved plan, recommends it being assented. 3. The Montreal wall bill, respecting which he transmits all that has hitherto passed on the subject, in case any further consideration in a military point of view.

Enclosed. A.—Schedule of the bills assented to. 246

B.—Attorney General's report on the Act to explain and amend the law respecting last wills and testaments.

C.—Protest by the Chief Justice on the same Act. 257

D.—Observations on the protest by Judge P. L. Panet. 259

E.—Schedule of reserved bills. 269

F.—Attorney General's report on the bill to declare the decisory oath admissible, &c. 270

(1). Report by Col. Gother Mann, dated 3rd August, 1791, on the town walls of Montreal, their removal, &c. 277

(2). Extract of letter from Dundas to Dorchester, dated 17th July, 1793, respecting the walls. 284

1801.

(3). Extract from Prescott's speech, 26th January, 1797, and copy his message to the Assembly, respecting the walls. Page

(4). Bill for taking down and removing the old walls and fortificati of Montreal (English, 290; French, 318). 290,

(5 and 6). Extracts from letters of Portland to Prescott, dated 1 July and 4th November, 1797. 346 to

Schedule of the enclosures.

LIEUT. GOV. MILNES—1801.

Q. 87—1.

1801. June 10, Quebec. Milnes to Portland (No. 50). Dispatches received and matt referred to in them laid before Council. The report on the memorial Gale, with documents, received too late to be transcribed, so as to forwarded by this mail. The proclamations respecting the Royal st and titles, and the ensigns or colours to be borne by British ships vessels, have been published. (For these proclamations see Series vol. 245, pp. 19-20.) The instrument directing Williams, Craige a Panet to be admitted honorary members of the Executive Cou received; the two former sworn in, but Panet being absent on offi duty cannot for the present give the advantage of his services. Pag

June 10, Quebec. Same to same (No. 51). Sends minutes of Council on the waste la of the Crown, from 15th August, 1800, to 28th February, 1801.

Minutes, 10th September. Report of 25th August on the towns of Stanstead laid before the Board.

(For names see alphabetical list.)

Minutes, 17th October. Report on the application of British Mil who served during the blockade of Quebec, 1775.

The township of Granby to be granted to them in a fixed propor according to rank.

Report on the township of Hereford.

Report on the township of Stukely.

Report on the township of Broughton.

Report on the township of Eaton.

(For names see alphabetical lists of these grantees in these to ships.)

Minutes, 29th October. Report on petition of John Black.

Report of the proceeds of the Land Committee, on sun petitions.

(See alphabetical list.)

Minutes, 29th November. Report on sundry petitions. (See al betical list.)

Minutes, 6th January, 1801. Report on sundry petitions.

(See alphabetical list.)

Minutes, 27th January. Report of the Land Committee.

On the township of Shefford.

On the township of Barnston.

(See alphabetical lists.)

Minutes, 28th February. Report on the township of Ascott.

Sundry Petitions.

On the township of Orford.

On the township of Bury.

On the township of Stanstead.

(See alphabetical lists.)

Warrants of Survey ordered for various townships.

June 10, Quebec. Milnes to Portland (secret and separate). Remarks on the p bility of the *lods et ventes* (mutation fines) being abolished by the

of the passage of the Act on that subject and the consequent facility for the purchase of lands in free and common soccage, and the mixture of the English and Canadians. Cannot account for the little success attending the establishment of the Canadian battalion. Had understood that the patronage of that corps was in the hands of the civil department, but finds now it rests with the Commander-in-Chief. Were the patronage with the Governor, as in other Colonies, it might be the means of drawing out the Canadian gentlemen. Shall try to effect a change in the relations between the Roman Catholic clergy and Government. In order to obtain a proper knowledge of the state of the militia, he shall make a tour of the Province, charging the cost to the Contingent Account. Page 93

Milnes to Portland (No. 52). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 10th October, 1800, to 5th January, 1801. 97

Same to same (No. 53). Sends letter from Colonel de Longueuil of the 1st battalion of Royal Canadian Volunteers, enclosing bill of exchange for £500 sterling, being a voluntary contribution of the officers and privates of the corps, towards carrying on the war. 98

Enclosed Letter from de Longueuil, dated 12th June. 99

Answer by Milnes, dated 12th June. 100

Milnes to Portland. Sends report of the Attorney and Solicitor General on the memorial of Bell & Monro to have a rent charged to the lessees of the iron mines at Bastican. 101

Enclosed. Report referred to. 102

Milnes to Portland (No. 54). Transmits copy of another protest lodged by Chief Justice Osgoode, with an account of the circumstances. The other members of Council are against its admission and to avoid a decision had stated that he would send it to be laid before His Majesty. Had examined the record to ascertain the practice as to receiving protest. Dissents were allowed during the time of Hamilton and Hope, but since 1792, only one is entered and in that case the name of the person is simply stated. In Dorchester's time the names for and against an Order in Council were struck out, but in one case of an Order in Council respecting fees, the words "upon a division" were allowed to be entered in the minutes. Further remarks on the circumstances, and on the danger in a Colony differing in religious and political opinions to allow of such a course as that demanded by the Chief Justice being granted. 105

Osgoode's protest with reasons. 110

Minutes of various duties relating to protests. 113 to 130

Portland to Milnes. Dispatches 48 and 49 and separate and secret letter of 29th April laid before the King. (The real date of the separate and secret letter is 26th March, see Q. 86–1, p. 142.) The Act for the relief of persons holding lands *en roture*, although not brought forward in a strictly formal manner, was fully warranted by the message of Lord Dorchester. Is willing to believe that Osgoode's opposition proceeded from laudable motives, and cannot but regret that the want of communication on his part prevented steps being taken that would have obviated his objections. The policy of the measures is declaratory of the rights of the Crown and renders their exercise less dangerous to the subject. The application of the sums arising from the Act being left to His Majesty, there is no need for an Act to authorize their application. The House of Assembly will of course repay the money stated in No. 48 to have been advanced. The rule as to entering protests in the minutes of the Executive Council may follow that in the Privy Council, in which the utmost freedom of speech is allowed, but no protests are entered on

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the minutes. Has no objection to fees in addition to salary, being allow to the Attorney General. Pag

July 13, Quebec. Milnes to Portland (No. 55). Sends minutes of Council on Cr lands, from 1st March to 5th July. Cuyler had received 10,000 a for self and family.

Minutes, 6th April. Cuyler's memorial referred to Committee of whole Council. Letter respecting the seigniors of St. Hyacinthe wri to M. de Larue and report on the rear line bounding the township Milton and Granby also referred to Committee.

Minutes, 14th April. Report on the rear line of St. Hyacinthe.

Minutes, 25th May. Reports of the Land Committee on petitions. (For names see alphabetical list.)

Report on the seigniory of St. Hyacinthe.

Report on the petition of Jeremiah senior and junior and P Spencer.

Report on the township of Brampton.

Report on the township of Newport.

(For names see alphabetical list.)

August 1, Quebec. Milnes to Portland (separate and secret). Sends report written Mr. Graham addressed to Burton and now laid before him (Mil The want of precision in Graham's personal communications respec an attempt to raise a rebellion in Canada. Particulars respecting ham. Neither he nor Burton disposed to give implicit credit to statements, but as he was employed by Government cannot neglec send his information. Intelligence received from Bolton, an Eng gentleman, of a conversation overheard respecting Ira Allen secur false certificates from Vermont that the arms taken in the "Olive Bran were for the militia of that State. One of the men overheard has m a deposition, now enclosed. Bolton has undertaken to investi further.

Enclosed. Information by Graham (printed in full in report Archives for 1891). 156,

Depositions of Jean Jagnar (Gagnon ?) of Chateau Richer, form resident with Holgate in Swanton, Vermont, respecting the meeti there to concert measures for the seizure of the Province of Que meetings being held two or three times, and never seldom than on week, at which were present McLane, since executed, Silas Hathaw of St. Albans, Ira Allen, of Onion River, and 30 or 40 others (man the other names are given). Ira Allen's proposal to obtain arms f France: the means by which he hopes to avert suspicion, and to c the belief that the arms are for the Vermont militia.

August 2, Hawkhurst. Prescott to Lord Pelham. Sends copy of letter to the Duk Portland, dated 15th November, 1799; the investigation asked nothing yet taken place, renews his request and states his willingne return to his Government.

Certified copy of letter to Portland referred to, containing reques an investigation into the conduct of himself and the Executive Cou and a statement of the points in dispute relative to grants of land.

August 7, Quebec. Milnes to Portland (No. 56). Sends last report of the commissio for the Jesuit estates, with abstract of the rents received up to A last. Dunn, who has been at the head of the commission, can further information, who sails for London by this opportunity. He give information also concerning the *lods et ventes* and generally res ing the affairs of the Province.

Enclosed. Report.

Abstract of accounts.

August 11, Quebec. Milnes to Portland (No. 57). Shall not fail to notice any matt importance in the minutes of the Executive Council, the proceedin

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respect to erecting Protestant parishes not yet completed; the report of the Attorney General will be submitted to Council. Send minutes respecting Crown lands from 26th May to 6th July, containing Gale's memorial, &c. Could not give an opinion, as the affair took place before he assumed office. Sends report on the case of the late Rev. Mr. Toosey's heirs; the hardship of compelling natural born subjects who may happen to be absent in another part of His Majesty's dominions to appear before the commissioners to take the oath of allegiance, &c., before obtaining the land. Asks for a dispensing power. Has called the attention of the Executive Council to the necessity of proceeding with the land business as rapidly as possible; the stoppage consequent on the age and infirmities of the Surveyor General. Page 181

Minutes, 6th July. Report on Gale's memorial on behalf of sundry applicants, with appended evidence, &c. 185

(For names see alphabetical list.)

Report on the Land Committee on petitions. 228

(For names see alphabetical list.)

Minutes, 26th August. Report on the surveys of certain townships. 231

(See alphabetical list.)

Report on the memorial of Kenelm Chandler, on behalf of the widow and heirs of the late Philip Toosey. 236

Other reports. 238 to 242

t 13, Milnes to Portland (No. 58). Has laid before the Council correc. spondence respecting the culture of hemp. Has caused experiments to be made, the result to be laid before the Legislature, and has entrusted Isaac Winslow Clark with the duty of carrying these out. 243

Report of the Executive Council on the proposed cultivation of hemp. 245

t 13, Milnes to Portland (No. 59). Orders received to take steps to recover c. £1,500 due by Hugh Finlay to the Post Office; his circumstances; how part of the debt may be secured. 251

Report of the Attorney General on Finlay's case. 256

Memorial of Hugh Finlay. 259

Testimonial in favour of Hugh Finlay, numerously signed. 266

t 14, Milnes to Portland (No. 60). Sends Naval Officer's returns of vessels c. entered and cleared at Quebec, between the 5th of April and 5th of July. 269

t 14, Same to same (No. 61). Sends documents to show the steps he had c. taken in reference to the doubts respecting the formation of the Criminal Court under the Judicature Act. Has requested Mr. Justice Williams to take the chairmanship in the committees of the Executive Council owing to the illness of Finlay, who acted in that capacity. 270

Enclosed. Representations of the puisne judges of King's Bench, Quebec, respecting the absence of the Chief Justice from the criminal term at Three Rivers. 271

Ryland to Chief Justice Monk, dated 18th July, desiring him to make arrangements for the criminal terms at Quebec and Three Rivers, in consequence of the absence of Chief Justice Osgoode. 272

Monk to Ryland, dated 20th July, that he would perform the duties during the absence of Osgoode. 273

Ryland to the Attorney and Solicitor General, 22nd July. For their opinion as to the proper constitution of the courts during the criminal terms during the absence of the Chief Justice. 274

Joint report of the Attorney and Solicitor General on the subject. 275

Chief Justice Monk to Milnes, 12th August. Points out objections to the issue of the commission for holding a court of Oyer and Terminer. 280

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Ryland to Monk, 14th August, that the Lieutenant Governor des to add his name to the commission of Oyer and Terminer, but if ther any way of relieving him of certain of the duties, the Lieuter Governor shall be glad to do so. Page

September 3, Downing Street. Lord Hobart to Milnes. Acknowledges dispatches. As Osgoode here, nothing additional need be said respecting the entering of prot in the Council minutes. The testimony of zeal and loyalty recei on account of the Royal Canadian Volunteers. His Majesty's sa faction at the receipt from the corps of £500 of voluntary con butions.

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July 22, General Post Office. Freeling to King. Asking if any reply has been received respect the amount due to the Post Office by Hugh Finlay. Page

Enclosed. Letter from the Postmaster General, 6th October, 18 to the Duke of Portland, requesting him to put the claim against Hu Finlay into the hands of the Law Officers of the Crown, to reco £1,500 due to the Post Office.

August 22, Hawkhurst. Prescott to Hobart. Had only learned of his succeeding Portla Sends now copy of letter to the latter dated 15th November, 17 (See Q. 87-1, pp. 167, 168.)

August 20, London. Gale to Sullivan. Sends memorial on behalf of grantees of lands Lower Canada, who have been unable to obtain the legal titles.

(For memorial, &c., see Q., vol. 90.)

September 12, Trinity House London. James Court to John Sullivan. Sends copy of the rules and orders be observed by pilots acting under the corporation licence, with ot documents.

September 16, Quebec. Milnes to King. Reports that Graham's information has to so extent been confirmed and that a parcel of Americans had formed society in Montreal on the principles of Jacobinism and Illuminism. Rogers being at their head. Five or six have been arrested; Rog has escaped.

September 20, Star Green. Prescott to Hobart. Sends correspondence, &c., respecting fees, for Lordship's judgment if these should not be paid to his agent, Mr Green.

Enclosed. Correspondence, instructions, &c. 300 to

October 13, Downing Street. Hobart to Milnes (No. 2). Dispatches received, which he sh answer fully at an early period. The report on Gale's memorial been transmitted to the Lords of the Council. Shall recommend I lay's case to the Postmaster General.

October 16, Quebec. Milnes to Hobart (No. 1). Has been informed of His Lords having taken charge of the Colonial Department. Other dispatc received. Shall take steps to grant Caldwell half a township, ordered.

October 17, Downing Street. Sullivan to Milnes. Sends letters and enclosures from the Tri House respecting pilots.

October 24, Quebec. Milnes to Hobart (No. 2). Besides documents already s encloses letter from Monk, and answer, respecting the measures forming a proper Criminal Court. Has issued two commissions, one Oyer and Terminer, the other for Gaol Delivery, in both of which M is included.

Monk to Milnes, 15th August, discussing the proper method of ministering the Criminal Courts.

Answer, dated 3rd September.

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(For other documents on this subject, see Q. 87-1 from page 270.)

ber 24, c. Milnes to Hobart (No. 3). Sends duplicate of letter to Portland, that measures had been taken to secure the land to meet Finlay's obligations to the Post Office. Encloses agreement to that effect. Page 311

Agreement respecting the transfer and sale of land coming to Finlay. 312

ber 25, c. Milnes to Hobart (No. 4). Encloses requisition for goods for the Indians, rendered necessary in consequence of the loss of the "Sovereign." 314

ber 27, c. Monk to Hobart. Applies for the office of Chief Justice of the Province, to become vacant by Osgoode remaining in England. 315

Documents accompanying the application. 318, 323

ber 28, c. Milnes to same (No. 5). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 5th July to 10th October. 325

ber 28, c. Same to same (No. 6). Send minutes of Council on Crown Lands, from 7th July to date. 326

Minutes, 21st July. Report on the petition of Jane, widow of Moses Cowan. 327

Report on the Survey of Brampton, with evidence, &c. 328

Report on the expediency of fixing a period for terminating the land business. 338

Minutes, 14th August. Report respecting the publication of a list of applicants' orders, in order to their uniting to come forward. 343

Report on two letters from the Surveyor General. 344

Report of petitions for land. 349, 358

(For names see alphabetical list.)

Minutes, 14th September. Report on petitions for lands, with journal, &c. 359

Report of memorial of Alexander Ellice for survey of the ungranted portion of Clifton. 371

Report on the township of Shenley. 374

Survey ordered of the ungranted lands of Farnham and Clifton. 375

ber 28, c. Milnes to Hobart (No. 7). Refers to dispatch of 1st August to Portland, relative to information by Graham of a conspiracy, but it was so vague as scarcely to deserve notice. (See Q. 87-1, p. 151.) Sends additional information. (This is substantially the same as in letter to King of 16th September, at page 297.) The Militia called out and acted with alacrity, a change for the better, as on a former occasion they acted with such reluctance that it was thought advisable not to follow up that order; has no doubt that this alacrity has arisen from having reviewed them himself, an attention they had never received from the King's representative, and a yearly repetition would have the best effect. Police associations are forming in Montreal, composed of the most respectable inhabitants; 600 stand of arms have been deposited there by Hunter for the use of the Militia. Thornton has been informed of the plans reported to be carrying on in Vermont, and a confidential person has been employed to watch Ira Allen and his associates. A correspondence has been established with the curés, to report the arrival of strangers or suspicious persons in the parishes. The United States Government does not appear to have any knowledge of the plans, so that it is to be presumed that Ira Allen is employed by the emissaries of France. 377

Enclosed. Report of Attorney General (Sewell), dated 21st September respecting the Civil Society of Montreal. (A secret society for overturning the Government, of whose methods, &c., a detailed statement is given.) 383

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Second report by the Attorney General, dated 23rd October, of t
Civil Society of Montreal, of which Ira Allen, principal in McLea
conspiracy, was at the head, one of the first objects of which was t
plunder of Montreal. Details of the plans of the conspirators. Page 3

Extracts from the material parts of depositions and papers relative
a secret society formed at Montreal and a proposed invasion of H
Majesty's Province of Lower Canada. 4

Proclamation, 15th October, 1801, calling out the Militia. 4

November 5, Quebec. Milnes to Hobart (No. 8.) Sends statement of the voluntary contrib
tions for carrying on the war, with bill for £385 9s. 5d. sterling, the n
amount of the subscriptions. 4

Enclosed. Statement of subscriptions and expenses. 4

November 6, Quebec. Milnes to Hobart (No. 9). Had informed Portland of experimen
being carried on in hemp culture by Mr. Isaac W. Clarke; sends sampl
of his and of hemp grown at Quebec by William Grant. Will recom
mend to the Legislature measures for promoting the growth of hemp
the Province. 4

November 16, Quebec. Same to same (No. 10). Reports the steps that will be necessary f
the trial of George Parrell for murder committed on the high seas,
consequence of a judgment of a Court of General Gaol Delivery, deliver
subsequent to the report (enclosed) of the Attorney General. Asks th
a new commission may issue for the trial of marine offences. 4

Report of the Attorney General upon the Admiralty Commission f
the trial of marine felonies under the Statute 11 and 12 Will. III, c. 7. 4

November 25, Quebec. Milnes to Hobart (No. 11). In accordance with the directions
Portland to grant half a township to Caldwell, had informed that gent
man and now enclose copy of letter from him (Caldwell) and answ
Had given him a grant of quarter of the township of Westbury, b
cannot give a final answer respecting Melbourne, as that is before
Committee of the Council. Besides the two quarter townships, Caldw
will receive 1,000 acres in Granby and Milton, his proportion as a Colo
of Militia during the siege of Quebec. 4

Letter from Caldwell, dated Belmont, 10th November, discussing
terms of the grant to him, and accepting in the meantime the quarter
the township of Westbury. 4

Ryland to Caldwell, 14th November, a warrant will issue for
quarter township. 4

November 25, Quebec. Milnes to Hobart (No. 12). That from all the information he
received, the schemes for creating disturbances are done away, and is
hopes that no further schemes of this kind will be formed. 4

December 3, Downing Street. Hobart to Milnes (No. 3). Dispatches received. Letter in favour
Finlay sent to the Postmaster General. Requisition for goods for
Indians sent to the Treasury. Approves of the means adopted in c
sequence of the discovery of the plans of Ira Allen and associates,
the movements must be watched with unabated vigilance. The K
approves of his having personally reviewed the Militia, and is grati
at his measures being seconded with so much zeal and loyalty by
Majesty's Canadian subjects. There appears to be no objection to an
the Acts transmitted, except to No. 82, that respecting last wills
testaments, which has been referred to the Privy Council for consid
tion. 4

December 11, Kingston. W. M. Pitt to Sullivan, Under Secretary. Asks for a grant of 10,
acres to Mathew Scott, who proposes to settle in Upper Canada. 4

December 11, General Post Office. Freeling to Sullivan. That the correspondence relative to Qu
shall be taken into consideration by the Board. 4

December 11, Whitehall. King to same. Sends memorial by Chief Justice Osgoode, addre
to the Duke of Portland in October, 1800, and omitted to be taken

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consideration, having by some accident been separated from the other official papers relating to the Province of Lower Canada. Page 520

Enclosed. Osgoode's memorial. 521

Proclamation of 1763. 523

ber 16, Milnes to Hobart (No. 13). Caldwell is desirous to obtain his grant from the residue of townships already surveyed and subdivided. Understands that these are reserved to raise a fund for defraying civil expenditure. Asks for instructions. 444

ber 23, Same to same (No. 14). Sends minutes of Council on matters of State between 21st July and 1st October, and concerning the waste lands of the Crown from 29th October to 11th November. 445

Minutes, 11th November. Report on the petition of Dr. Holmes for land. 446

Report on petition of Cull and others for land in Hatley. 447

Report on the township of Shipton. 452

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Report on a proclamation and advertisements respecting waste lands. 460

Minutes, 21st July. L. P. Panet sworn in as a Councillor and Judge of the Court of Appeals. 464

Minutes, 14th August. Report with documents respecting the *papier terrier* (land roll). 464

Report on the petition of John Purss, respecting encroachments on the King's Wharf. 468

Minutes, 14th September. Report on the Public Accounts for six months ending 10th April. 470

Report on proposed new lease for the King's Posts. 490

Report respecting certain persons suspected of treasonable practices at Montreal. 504

Minutes, 1st October. Further report respecting suspected persons at Montreal. 508

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W.—Wendover, 88, 89, 91; Wickham, 48; Windsor, 33, 34, 41, 88, 89, 91; Walton, 41.

LIEUT. GOV. MILNES—1802.

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1802. Hobart to Milnes (No. 4). Acknowledges receipt of voluntary contributions for the war. Respecting the measures for the cultivation of hemp. The letter (No. 9) and the samples shall be laid before the Privy Council when the latter arrive. The arrears due to Osgoode to be paid out of the Provincial revenues. Page 2

Milnes to Hobart (No. 15). Dispatches received. Legislature met on the 11th; sends copy of speech, addresses and answers. His satisfaction at the appearance of unanimity in the two Houses. Calls attention (in a P.S.) to the two reserved bills, one for establishing Free Schools, the other the Montreal wall bill. 6

Enclosed. Speech at the opening of the Legislature. 8

Address from the Council. 13

Separate address presented by the Council at the same time, congratulating Milnes on the mark he had received of the Royal favour. 16

Answer to the Council. 18, 19

Address of the Assembly. 20

Answer. 25

Milnes to Hobart (No. 16). Sends minutes of Council on Crown Lands from 29th October to date. 27

Minutes, 11th November. Report on petition of Dr. Holmes. 28

Report on the township of Huntley. 29

Report on the township of Shipton. 36

Report on Granby and Milton. 43

Milnes to Hobart (separate). Finlay, senior member of the Executive and Legislative Council, and Major Holland, Surveyor General, died in the course of last month. Recommends Justice Williams for the vacant office in the Council. Owing to the absence of two and the distance at which others live, it is necessary that the office should be filled as soon as possible, should it be considered that Judge De Bonne has the best claim to the seat, hopes that a *mandamus* to that effect will be sent early as convenient. Calls attention to the distressed state of Finlay's family. The infirm state of Holland's health rendered him incapable of the regular execution of his duties; the importance of the office; a Committee of the whole Council appointed to investigate the state of the documents and records. Is afraid that the system introduced by Gale, whilst assistant, may lead to much litigation; the necessity of having a person of ability and integrity to establish a proper system. 51

List of the Executive Council of Lower Canada. 55

Milnes to Hobart (private). Representation of the insufficiency of the salary to maintain the expenditure requisite on the part of the administrator of the Government, if the jealousies which formerly existed to be kept down. What is required of a Governor, &c. 59

Hobart to Milnes (No. 5). The question as to the necessity of a new Admiralty Commission has been referred to the Law Officers. The samples of hemp have never been received. Sends receipt for the amount of voluntary contributions from Lower Canada. 4

Same to same (No. 6). A second reference has been made on the question of issuing new commissions for the trial of marine felonies; is yet unable to send the final report. Leave of absence to be granted to Sir George Pownall, on his appointing a suitable substitute. 68

Milnes to Hobart (No. 17). Appointment of Bouchette to succeed Holland as Surveyor General; his integrity and ability. 70

Enclosed. Journal of a Committee of the whole Council respecting the Surveyor General's office. 72

1802.

May 6, Downing Street. Hobart to Milnes (No. 7). Three Acts confirmed, namely, declare the decisory Act admissible in commercial as well as in civil matters; 86, Act to remove the old walls, &c., of Montreal, a Act for the establishment of Free Schools. There seem to be no tions to the other Acts. P

May 6, Downing Street. Same to same (No. 8.) He is correct in the view taken of the tions respecting Caldwell's grant; no grant should be allowed to fere with reservations already ordered. His satisfaction a cordiality between the two branches of the Legislature. J Williams and De Bonne to be summoned as Councillors. The ap ment of a committee to examine the state of the documents and r of the Surveyor General's department approved of. A new comm for the trial of marine felonies will be forwarded. Forwards me from the widow of Captain Clarke of the 59th Regiment, for a gr land.

May 17, Quebec. Milnes to Hobart (No. 18). Sends minutes of Council on Stat ness from 2nd October, 1801, to 4th February, 1802.

Minutes, 23rd October. Opinion from Portland, as to the prac entering protests on the minutes, laid before the Board.

Minutes, 11th November. Reference respecting the residue of ships ordered to be disposed of.

Reference respecting lands to be appropriated for the founda Public Schools.

Report of the Attorney General on the erection of Protestant p laid on the table.

Minutes, 10th December. Proceedings and report concernin sons confined at Montreal on suspicion of treasonable practices journal.

Minutes, 12th December. Proceedings in reference to the sale o of the residue of townships in which grants have been made. ence, 106; the order read, 107; report, 109. 106, 1

Minutes, 5th January, 1802. Proclamation of Peace receive ordered to be printed.

Report on the table of fees to the Attorney General, with jou proceedings.

Minutes, 4th February. Report on Public Accounts beginni the 11th of April, 1801, with journal of proceedings, statements, &

May 17, Quebec. Milnes to Hobart (No. 19). The Commissioners for erect Metropolitan Church report that the cost will considerably exce estimate. The enclosed report shows the cause of the addition the increased cost of labour and material has been such as to re correct estimate impossible, as will be seen by the case of the House, yet unfinished, but which has cost already nearly doub original estimate. The advantage is so great that he will ta responsibility of advancing from time to time the necessary mo carry on the work. A great proportion of the Protestant inha do not belong to the Church of England, and those who do contribute liberally, yet the building of the church would pr unite all in one communion. Sends copies of the Acts passed duri session, one to make good the £4,000 advanced on account of Houses. The Assembly asks for a further advance of £6, be made good, and the revenues are so increasing that can be no doubt of the sum being repaid next session. Inc (given in detail) amount to £3,000, which may be cons permanent, and the Act respecting *lods et ventes* will no produce £4,000 or £5,000 this year, but also secure a perm revenue. Points out that the large additional expenses are temp

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whilst the revenues are permanent. An Act has been passed for the culture of hemp. The subject has been taken up with spirit in the districts of Quebec and Montreal, in which committees have been established, a copy of whose proceedings and copy of his own speech on proroguing are enclosed. Dispatches received; calls attention to subjects mentioned in letters to Portland. Page 150

Memorial by the Commissioners of the Metropolitan Church, respecting the excess of cost over the estimate. 156

Title of the volume of Acts. (The Acts have not been copied, being in Volume III. of the Statutes of Lower Canada.) 160

Address of the House of Assembly for an advance of £6,000 for the Court House of Quebec and Montreal. 161

Instruction on the mode of cultivating and preparing hemp. (English, 162, 166; French, 171, 175.) 162 to 180

Other documents on the same subject in English and French. 181 to 189

24, Milnes to Hobart (No. 20). Encloses memorial from Mr. Baby for an allowance in consequence of his long services and from the loss of income on account of the cessation of the lease of the King's Posts. 190

Enclosed. Memorial of François Baby (in French). 193

24, Milnes to Hobart (No. 21). Sends exemplifications of the Acts during the session, and a schedule, with manuscript copy of the Journal of the Legislative Council. 197

Enclosed. Schedule of Acts. 198

Title of the Statutes passed in the second session of the third Parliament. Not copied, being in Volume III. of the Statutes of Lower Canada.

Proclamations calling the Legislature together, with adjournments from time to time. 202, 204

Minutes of the Legislative Council. 205 to 287

Hobart to Milnes. That the application for an increase to his salary cannot be recommended, but trusts that he will make up his mind to remain for some time longer. 65

Applicants for Lands in this Volume.

(The figures after the names show the pages.)

A.—Abbot, Abiel, jun., 31, 33, John, 33; Adams, Martin, 33.

B.—Barnard, George, 37, Henry, 37, James, 38, Stephen, 37; Beech, Stephen, 52; Blanchard, Peter D., 33; Blunt, David, 41, Ephraim jun., 41; Brocas, John, 38; Boyden, Edmund, 33.

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D.—Daggit, Asa, 33; Davis, Joseph, 33; Doying, Daniel, 38, James, 38; Dudley, Goodrich, 34; Dustin, Wm., 39.

E.—Ellison, Thomas, 40.

F.—Fish, Joseph, 31, Samuel, 31.

G.—Gamelin, Joseph, 42; Green, Daniel, 32, Robert, 41.

H.—Hastings, Elijah, 37; Haycock, Chaunsey, 32; Hicks, John, 38, Joseph, 38; Hill, Thomas, 39; Hitchcock, Ephraim, 32, Paul, 33 Hovey, Chester, 31, Ebenezer, 29, 30, 31; Holmes, Wm., 28, 29; Hubbard, Israel, 34.

I.—Ives, Eli, 31, Joel Hall, 31, Joseph, 31.

K.—Kezer, Joseph, 40.

L.—Lebanon, Jephat, 33; LeBonnty, John B., 39; Leet, Benjamin, 39; Lester, John, 38; Leweston, David, 40; Lomis, Caleb, 34.

Mc.—McClure, John, 42, John Baptiste, 42.

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O.—Oaks, John, 42.

P.—Peasley, Philip, 34 ; Perkins, Joseph, 40.

R.—Rexford, Abraham, 32, Benjamin, 31, Isaac, 31, Samuel, 31; Rice, Abino, 40 ; Robinson, John, 40 ; Rundlett, Wm., 41.

S.—Schoolcraft, James, 34 ; Shipton, 36; Simon, Reuben, 33 ; Smith, Jonathan, 41 ; Steele, Jonathan, 39 ; Stewart, Amherst, 39.

T.—Taylor, Wm., 31 ; Tesendon, Nathaniel, 38 ; Tobyne, James, 42.

W.—Wadleigh, Jesse, 33; Wetherell, Job, 37, Lot, 37; Williams, Providence, 33.

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E.—Ely, 28.
G.—Granby, 43.
H.—Hatley, 29, 35.
M.—Milton, 43.
N.—Newport, 28.

LIEUT. GOV. MILNES AND MISCELLANEOUS—1802.

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1802.

May 31, Downing Street.

Hobart to Milnes (No. 9). Order that Osgoode having resigned the office of Chief Justice of Lower Canada is to receive a life pension of £800 per annum to begin from the first day of the present May. Elmsley, the present Chief Justice of Upper Canada is to succeed him, the salary to be increased to £1,500 per annum. The salary of the Chief Justice of Montreal is (for reasons given) to be increased to £1,100. Elmsley also appointed to the Executive and Legislative Councils, De Bonne to the Executive and Williams to the Legislative Council. The control of the *Maîtres des postes* (keepers of post-houses for supplying horses) should be in the hands of the present Deputy Postmaster Heriot, as in the same manner as the same was exercised by Finla Steps to be taken for that purpose. Page

June 9, Quebec.

Milnes to Hobart (No. 22). Sends proceedings of the Executive Council on Crown Lands from 20th January and 28th March, and matters of State from 5th February to 18th March.

Minutes, 4th February. Report on petitions and on Councils.

(For names see alphabetical list.)

Minutes, 6th February. Report on petitions, &c.

Minutes, 8th February. Report on petitions, &c.

Minutes, 15th February. Report on petitions, &c.

Minutes, 17th February. Report on petitions, &c.

Minutes, 19th February. Report on petitions, &c.

Minutes, 4th March. Statement of the Provincial revenue.

Minutes, 18th March. Proposed lease of the King's posts, with proceedings and journal of the King's Executive Council on the same.

Report of the Committee.

Report of the Committee on the petition of James Irvine for part the beach in lower town, Quebec.

Report on the statements of Provincial revenue.

Report on the case of Palmer and Dewey, in prison on suspicion treason.

1802.

Milnes to Hobart (separate and secret). Warrant issued for £275 17s. 10d., arrears of salary claimed by Osgoode. Is anxious to know the determination respecting Osgoode's office of Chief Justice; his salary has been claimed by his agents but shall postpone a decision till after the arrival of the mail. The Chief Justice of Montreal (Monk) has presided over the Commission of Oyer and Terminer for the district of Quebec and has been appointed Speaker of the Legislature, but it would not be for the benefit of His Majesty's Service to continue him in the latter office. The importance of having the office of Chief Justice filled up, and that whoever is appointed should be well acquainted with French. Page 75

Enclosed. Answer to Lester, agent for Chief Justice Osgoode, that he must postpone issuing a warrant for his salary till the arrival of the April mail. 78

Milnes to Hobart (No. 23). Is sorry that the samples of hemp have not been received; shall send others. The steps taken to sell the residue of the townships in which grants have been made; it is proposed in the first instance to offer 82,000 acres at not less than two shillings and sixpence, which would yield to the Provincial funds upwards of £10,000. The value of the Crown lands. 79

Enclosed. Report respecting the sale of the residue of townships. 81

Milnes to Hobart (No. 24). Has sent a second sample of hemp. By the same conveyance a quantity (2,584 pounds) is sent for sale. 90

Same to same (No. 25). Transmits memorial from the Commissioners for the erection of a Metropolitan Church, in which they express their hope that His Majesty would make a gift of Communion plate and altar cloth with a Bible and Book of Common Prayer for the Governor, Lieut. Governor, members of the Privy Council and officiating Clergyman; not more than twelve Prayer Books would be required. 92

Memorial. 94

Milnes to Hobart (No. 26). The length of time that has elapsed since the confinement of George Parrell, on a charge of murder on the high seas, makes him anxious for the new commission for the trial of marine felonies. Powell to have leave of absence on his application. The proclamation notifying the conclusion of the war and the regulations for the navigation of British ships in time of peace has been published, and a day of thanksgiving ordered to be held. Is happy to find that his interpretations of the grant to Caldwell was correct. Has every reason to hope for continued unanimity on the part of the two branches of the Legislature. Is flattered at his recommendation on behalf of De Bonne, and Williams has been approved of. Has laid Mrs. Clarke's memorial before the Council. 99

Hobart to Milnes (No. 10). Minute of the Lords of Trade in Gale's memorial forwarded; the necessity for some legislative provision to obviate the difficulties respecting the titles of land to early settlers. To consult, take measures and report.

Milnes to Hobart (No. 27). The increase to the salary of the Chief Justice of Montreal (Monk) has been notified to him. Had issued a warrant for Osgoode's salary up to the 30th of April. His satisfaction at the appointment of Elmsley. Explanation of the cause which led to the appointment of Taschereau to be Superintendent of Post-houses; the nature of the services rendered by these houses; the class of people who act as *Maîtres des postes* and their independent positions. Heriot's error as to the position of Superintendent of Posts being part of the appointment of Deputy Postmaster General, because the offices were conjoined in Finlay; the influence possessed by Taschereau, and the importance of securing his services in this capacity as well as in that of Grand Voyer. 105

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Enclosed. Extracts from Ordinances "for regulating all s
"as keep horses and carriages to let and hire for the accom
"travellers, commonly called and known by the name of
"*postes.*" Pa

Application by Heriot, dated 30th December, 1801, to be
Legislative Councillor.

September 3, Quebec. Milnes to Hobart (No. 28). Transmits memorial from
but, as the events to which it refers took place before hi
arrival, can make no recommendation on the subject. Lan
been Grand Voyer since 1786, at a salary of £500 a year.

Enclosed. Memorial (in French) from Lanaudière, wit
attached. Showing his losses, praying for a grant of land
the amount of property belonging to his aunt, situated on
plain, which had been unjustly taken possession of and sold
detriment of his family interests.

Statement of the seizure of his property by the An
1775.

September 4, Downing Street. Hobart to Milnes (No. 11). His Majesty's satisfaction at
confidence of the different branches of the Legislature and
gressive improvement of the revenues. Is happy to obser
culture of hemp is so zealously promoted. Approves of th
made to the Commissioners for erecting the Metropolitan Ch
lay the request for Communion plate, altar cloth and books
King. An allowance of £150 a year to be made to Bab
wife, should she survive him. Transmits opinion of the Lord
on the Act to explain and amend the law respecting last w
taments.

October 4, Quebec. Milnes to Hobart (separate and secret). Although his re
(to increase his salary) has not had the effect with which
tered himself, is sensible of the attention given to the subject
do his best to carry on the Government as long as the Gover
has leave of absence. Calls attention to his service in settl
sensions which existed when he arrived, and the popularity
by the King's Government, so that it would not be thought
granted in consequence of his letter in 1799 had been illp
marks on the increase in the revenues since he had ass
and refers to a similar result during the time he was in
Martinico, when he had reduced the expenditure and in
revenue, so that a surplus of £12,000 was left in the Coloni
his departure, although on his arrival the taxes could n
Believes that the augmentation asked for would be fully mad
additional influence he would obtain, which would enable h
out certain objects, among others the Militia bill and the
tenure. Further consideration on the subject; his situati
was not for the advantage of his family, but he could not ev
private income.

October 5, Downing Street. Hobart to Milnes (No. 12). A new commission for the tria
felonies has been forwarded. Orders have been given to fo
munion plate, altar cloth and books to the Commissioners f
the Metropolitan Church which have been bestowed by the K

October 5, Quebec. Milnes to Hobart (No. 29). Sends Taschereau's report on
post-houses.

Enclosed. Report on Provincial post-houses with observati
present condition and that of the ferry men, &c.

Written order addressed by Taschereau to the masters of

Milnes to Hobart (No. 30). Sends Naval Officer's returns of vessels entered and cleared at Quebec, between the 10th of October, 1801, and 5th January, 1802. Page 139
Enclosed. Return of vessels entered inwards. 139*a*
The same of vessels cleared outwards. 139*b*
Milnes to Hobart (No. 31). Sends requisition for goods to supply the stores with presents for the Indians. 140
Enclosed. Requisition. 141
Milnes to Hobart (No. 32). Sends Naval Officer's returns of vessels entered and cleared at Quebec, between the 5th April and 5th July. 143
Enclosed. Returns of vessels entered inwards. 143*a*
The same outwards. 143*b*
Milnes to Hobart (No. 33). Sends copy of letter from the Judges of the Court of King's Bench and of the presentment of the Grand Jury relative to the incompetence of the Courts in the Province to take cognizance of crimes committed in the Indian Territory. The serious consequence of this; sends the fullest information attainable of the state of the Fur trade, of which he gives a history, together with sundry enclosures. 144
Enclosed. A.—Letters from the Chief Justice and puisné judges of Montreal, dated 12th September, with calendar of prisoners tried, convicted and under sentence at the last session of the Court of King's Bench. Two presentments of the Grand Jury transmitted, one respecting the escape of prisoners from the district gaol, the other respecting murders lately committed in the interior or Indian country; the evils and dangers arising from this cause. An Act to provide for the trial of offenders in the Province next to the scene of the crime would have a deterrent effect. 153
B.—Presentment of the Grand Jury, 10th September, respecting crimes committed in the Indian territory which they are not competent to investigate, owing to the state of the law. 156
C.—Report of the Attorney General, on the law respecting the trial of persons charged with offences committed in the Indian country, dated 23rd October. 162
D.—General return of the departments and posts occupied by the North-West Company, with number of partners, &c. 166
E.—Average number of peltries cleared at the custom house, Quebec, for England, from 1793 to 1801, with calculation of the duties paid on landing. 168
F.—Furs exported from Quebec in 1801, with average prices in London. 169
Milnes to Hobart (No. 34). Has received minutes of the Lords of Trade and shall try to obviate the difficulties with regard to the completions of titles to certain early settlers. Arrival of Elmsley; he has been sworn in. Calls attention to his request for a dispensing power with regard to natural born subjects, who are prevented from appearing before the Commissioners to take the oaths before obtaining the land granted them. Has advised Mr. Scott to prepare a memorial for lands which may be presented to Council. Recommends Maurice de Salaberry for an ensigncy in one of the regular regiments. The importance of giving commissions to the sons of Canadian gentlemen. 172
Same to same. Calls attention to an error in his letter of 4th October, marked separate and secret, in stating that the increase of revenue was £4,000 instead of £3,000, the real amount (a reference to p. 125 shows that the real amount (£3,000) was stated in the letter and probably copied incorrectly). The statement to the Duke of Portland in letter of 16th April, 1801 (No. 47), that the produce of the *lods et ventes* in 1759, the last year of the French Government was about £900, and that

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exclusive of £5,000 in the present year, a permanent revenue of £1,000 a year may be looked for (see for letter 47, Q. 86–1, p. 197). Page 176

November 10, Quebec. Milnes to Hobart (No. 35). Sends minutes of Council on State business from 4th March to 27th May, and on Crown Lands from 29th March to 25th July. 180

(For Schedule of Provincial Revenues see page 58.)

Minutes, 29th March. Report on petition of John Young. 182

Report of the Committee on petitions, &c. 186

Minutes, 28th May Report of the Committee on petitions, &c. 208

(For names see alphabetical list.)

November 16, Quebec. Milnes to Sullivan. Introducing Usborne, connected with the timber trade of Lower Canada. 227

November 16, Quebec. Same to Hobart (No. 36). Sends documents relating to the resignation of a *Maître de poste* and the impossibility of finding a person to fill up the vacancy. The increase of the cost of provisions, &c. The addition to the charge for ordinary travellers not provided for in the case of couriers. The necessity for an arrangement. 230

Enclosed. Heriot to Taschereau, 12th November that the *Maître de Poste* of Pointe aux Trembles has resigned and the communication between Montreal and Quebec is interrupted. 235

Taschereau to Heriot, 13th November. Has received the letter regarding the post houses. The difficulties can only be removed by the Legislature. 236

Heriot to Milnes, 14th November. The resignation of the *Maître de poste* at Pointe aux Trembles; requests that the Captain of Militia there be ordered to find conveyance for the mails. 238

Ryland to Heriot, 15th November. His Excellency is not vested by law with the power to order Captains of Militia to furnish horses as required. 239

Statement (in French) of Taschereau concerning the transport of mail carriers and the engagements of the *Maîtres des postes* respecting the carriage of mails between Montreal and Quebec. 240

November 18, Quebec. Milnes to Hobart (No. 37). Had sent observations on the Fur trade in No. 33 (p. 144). Now sends abstract of the imports and exports since 1793 to date, both inclusive, showing an export trade of upwards of 35,000 tons, nearly double of that employed in any of the first six years, and there has been a regular and essential increase in the last three years, a proof of the growing importance of the Colony. Ship building was carried on during the war, which explains why the number of vessels leaving exceeds those entering the port. The harvest of this year is about equal to the last, the aggregate exported exceeds any former period, being equal to about 1,200,000 bushels of grain. 24[illegible]

Enclosed. Abstract of imports and exports. 247

List of vessels, with their cargoes, cleared since the 15th of November. 24[illegible]

November 18, Quebec. Milnes to Hobart (No. 38). A verbal representation made by members of the North-West Co., that retaliation may take place between their servants and those of the new company in consequence of there being no competent jurisdiction for the trial of offences there, asks that in case a jurisdiction is established he may be notified as early as possible. 25[illegible]

November 23, Quebec. Same to same (No. 39). Transmits report on the petition of Mr. Clarke and asks for instructions. 25[illegible]

Report. 25[illegible]

December 1, Downing Street. Hobart to Milnes (No. 13). The appointment of Taschereau as Superintendent of *Maîtres des postes* approved of. In consideration of Heriot's expectations he may be recommended for an additional situation of equal emolument to that of Superintendent of *Maîtres des postes*. Cannot comply with the application of Lanaudière. Immediate atten-

tion will be given to the representation as to the apprehended evils of the incompetency of the Courts of Justice to take cognizance of offences committed in the Indian territory. Page 170

Hobart to Milnes (No. 14). Dispatches received; No. 31 of 21st October has been sent to the Treasury, with requisition of goods for the Indians. Warrant sent appointing Elmsley Chief Justice and member of the Executive and Legislative Councils. The question of the Fur trade referred to the Crown surveyors. It is deserving of consideration whether it might not be advisable to establish a chartered company for the systematic conduct of the trade. Its advantages. 178

Sullivan to Milnes. That owing to the importance of the subject, he had introduced Mr. Osborne to the Admiralty, &c., with a copy of his (Milnes') letter of the 16th November. The delay in receiving copies of Mandamus for persons entitled to seats in the Council has arisen from the neglect of their agents. 228

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LIEUT. GOV. MILNES AND MISCELLANEOUS—1802.

Q. 90.

1802. January 7. London. Sir Alexander Mackenzie to Hobart. Proposals for the establishment of a permanent fishery and trade in furs, &c., in the interior and on the west coast of North America. Same management required to bring about the coalition of the two companies at Montreal. Those who do not go into the partnership should be allowed to do as they please, but asks that the licenses shall be confided to him for behoof of those who shall accede. Has no doubt of succeeding with those whose personal exertion are infinitely more essential than the capital of the others, as they can only be replaced by juniors growing up in the service during a period of from six to ten years, whereas the capital can be raised at any time. Intends to embark towards the end of the month. Page 37

Preliminaries to the establishment of a permanent British Fishery and trade in furs, &c., on the Continent and West Coast of North America. 39

January 26, Bank of England. A. Newland to Sullivan. Acknowledging receipt of bill of exchange for £385 9s. 5d., being the amount of voluntary contributions from Lower Canada towards the expenses of the war. 42

February 4, Queenston. Robert Hamilton to Charles Taylor, Secretary to the Society of Arts. Respecting the culture of hemp. 34

February 9, Downing Street. Hobart to Milnes (No. 15). Orders have been sent to Heriot to increase the rate paid to the *Maîtres des postes* for supplying horses for the mails. The satisfactory state of the trade of Canada since 1793. I authorized to grant the lands asked for to the Scotch Church and to the Congrégation de Notre Dame. To report on the extent of land required for the maintenance of the Church of Scotland in Lower Canada. A Imperial Act necessary to authorize the trial in Canada of felonies committed in the Indian territory. 2

February 13, Bank of England. Newland to Sullivan. Sends certificate of voluntary contribution from Lower Canada for the war. 4

March 4, Whitehall. Report of the Lords of Council on Gale's petition relative to the grant of waste lands. 4

(The documents relating to this claim extend in this volume from page 47 to page 264, and those sent from Lower Canada, beginning page 50, were transmitted in Milnes' letter of 11th August, 1801 (No. 57). See Q. 87-1, p. 181.)

Thomas Dunn to Hobart. Had arrived on six months' leave of absence for the purpose of settling his public accounts as private concerns. Asks for an extension of leave. Page 265

Copy of the leave granted by Milnes. 266

Attorney and Solicitor General report on whether it is necessary to issue new commissions for the trial in Canada of marine offences. 267

Order in Council confirming laws passed in Lower Canada respecting the decisory oath, for removing the old walls, &c., of Montreal and for establishing Free Schools. 270

J. H. Addington to Sullivan Transmits application made to the Treasury by Prescott, for an allowance to his secretary, Gale, to be submitted to Hobart. 272

Osgoode to Hobart. That two years ago he had asked leave to resign his office, which was granted, but at the desire of His Majesty he had continued in office for a year longer. Renews his request for leave to resign. 273

Letter of same date on the same subject, addressed to Sullivan, with enclosure. 274

Enclosure. Letter from Portland, dated 26th July, 1800, that his resignation was accepted and that he was to have a life annuity of £800 sterling. 275

King to Sullivan. Returns the copy of Portland's letter (p. 275); perfectly recollects the circumstances connected with the resignation. 277

Postmaster General to Hobart. Recommending that Heriot succeed Finlay as Superintendent of *Maîtres des postes* in Canada. 278

Enclosed. Application from Heriot to the Postmaster General for the office referred to, dated Quebec, 21st January, 1802. 280

Heriot to Milnes, on the same subject, dated 28th December, 1801. 282

W. Tatham to Hobart. Offers his services generally and in particular in those premises to which the papers enclosed refer. (The correspondence relates to the culture of hemp.) 283

Enclosed. Correspondence from 28th February to date. 284 to 287

King to Sullivan. Transmits letter, with enclosure, from Simcoe in favour of Bouchette of Lower Canada, and asks that it be laid before Hobart. 288

Enclosed. Letter from Simcoe, dated Wolford Lodge, 2nd May, 1802. 289

Letter from Joseph Bouchette, dated Quebec, 16th February, on the subject of his appointment. 291

William Grant to Joseph Taylor, Secretary of the Society of Arts, respecting the cultivation of hemp. 293

Hobart to Elmsley. That His Majesty has appointed him Chief Justice of Lower Canada, vacant by the resignation of Osgoode; the salary to be increased to £1,500 a year. Milnes instructed to call him (Elmsley) to the Executive and Legislative Councils. 298

Order in Council appointing Elmsley to the Executive Council. 299

Ryland to Scott (?) That he should obtain from Lord Hobart a specific order for 1,200 acres for himself and for each of his family. 333

Memorial of Abraham Cuyler. Setting forth his services, and praying for the Township of Hemmingford or such portion as may be thought proper, as a provision for his family, six in number.

Order in Council appointing Pierre Amable de Bonne a member of the Council for Lower Canada. 303

Description (with illustration, 333*a*) of the method employed for the culture and preparation of hemp, from a paper prepared by John Taylor and laid before the Lords of Trade. 334 to 345

1802.

July 2, Whitehall. Lords of Trade (Fawkener, secretary), to Sullivan. Transmit minute on Gale's petition relative to grants of land in Lower Canada.

Page

July 30, London. Sir Joseph Banks to Lord Glenbervie. Details of the cultivatio hemp in various quarters.

August 4, Treasury. Treasury (N. Vansittart) to Sullivan. Sends requisitions for sta ery for the Civil Department of Lower Canada.

August 14, Whitehall. Lords of Trade to Sullivan. To inform Lord Hobart that they se objection to the Act, &c., relating to wills in Lower Canada.

August 16, London. Thomas Dunn to Sullivan. Transmits memorial for compensatio lieu of the part of his estate in Canada of which he has been depr by the treaty of peace.

Enclosed. Memorial.

Letter to Lady Hervey on the subject and respecting his son, d 13th July.

Statement of facts by Dunn, respecting the seigniory of St. An on Lake Champlain.

August 17, Quebec. Monk to Hobart. Thanks for the augmentation to his salary.

August 18, London. W. M. Pitt to Sullivan. Respecting the grant to Mathew Scott, urging that steps may be taken to forward the decision.

Enclosed. Pownall to Pitt. Sends information respecting Mat Scott's situation in Lower Canada.

September 2, Quebec. Lanaudière to Hobart. His encouragement to lay his case before Lordship. Had presented a memorial praying for compensation fo losses and services during the invasion of 1775, and for the loss of estates of his aunt, Mdlle. de Ramsay. Refers to Dorchester and ot for testimony of his services. Hopes for 80,000 acres, namely 10 acres in Dudswell, 10,000 in Bury, 10,000 in Adstock (Ascot ?), 10 in Stanstead, 10,000 in Barnston, and 20,000 in Dittor, would no considered too much at a time when from the disaffection of his fe countrymen it required all the most zealous and loyal subject could to preserve this part of His Majesty's American Dominions.

Memorial (in French).

Copy (in French) of the seizure made of the property of Charle Lanaudière, signed by Mathew Ogden, by order of Arnold, dated November, 1775.

Observations (in French) submitted by Lanaudière to Hobart.

Copy of Mdlle. de Ramsay's title.

September 9, Upper Canada. Elmsley to Hobart. Acknowledges with gratitude his appointm to the office of Chief Justice of Lower Canada. Would have proce at once to Quebec, but as he is one of a committee to represent and respond with General Hunter during his absence on military duty cannot leave till Hunter's return, which will be about the 25th.

October 26, General Post Office. Freeling to Hobart. Sending extra officially a copy of Charles Lo letter to Lord Auckland on the subject of the appointment of the Su intendent of *Maîtres des postes* by Milnes.

Enclosed. Charles Long to Auckland, 22nd October, 1802. That offices of Postmaster General and Superintendent of *Maîtres des p* had always been conjoined, and that the appointment should be in hands of the Secretary of State.

November 2, Quebec. F. Baby to Dorchester (in French). The condition of the Milit satisfactory to Milnes, who has notified him (Baby) that he soliciting from the Ministry a pension of Baby in part reversible t wife, on his death. States his services for consideration.

December 8, Quebec. Milnes to Hobart (No. 40). Has communicated to the Bisho Quebec, that the request for Communion plate, &c., would be laid b the King. Is pleased that his conduct in advancing money to e

1802.

the Commissioners to proceed with the building of the church has been approved of. Transmits Baby's thanks for His Majesty's bounty. Transmits a more correct account of imports and exports than that sent in No. 37. The total collection of *quints* and *lods et ventes* to 10th October was £2,570 8s. Shall defer further remarks until the public accounts to 5th January are delivered in, when he believes a satisfactory statement of the Provincial revenues can be sent. Page 2

Enclosed. Abstract of exports and imports from 1793. 3*a*

nber 13, c. Milnes to Hobart (No. 41). Sends memorial from the members of the Scotch Church, Quebec, for ground in Upper Town in which to erect a church and also to enable them to defray the cost of building and for the support of religious worship. Has granted £50 a year to the Scotch Minister at Quebec, the same as for the one at Montreal. Should a portion of the Crown lands be appropriated for the use of the Church of Scotland in Lower Canada, it should be subject to the ordinary control of the Board for the management of the Reserves, otherwise that Church would be placed on a more independent footing than the Established Church (the Church of England). Sends also a memorial from Mr. Plessis, on behalf of the Congréganistes de Notre Dame for a piece of land to erect a church. The members of the Scotch Church have been allowed the use of one of the largest rooms in the Jesuit College (now the Barracks), but that will be given up when they have a separate building. The grants should be made of land within the walls of Quebec. Such a grant would rather help than obstruct the union of the Church of Scotland with the Church of England.

Enclosed. Memorial of the Congregation of the Church of Scotland in Quebec for land. The names (150 in all) of the petitioners are given. 8

Petition from a deputation of the Congregation, signed by Alex. Spark, Minister, Adam Lymburner, John Lynd, Peter Stuart, William Grant, James Tod, John Mure, J. Blackwood, Francis Hunter, W. Holmes, John Purss. 15

Petition (in French) by Rev. J. O. Plessis, on behalf of the Congrégation de Notre Dame. 18

ber 14, c. Milnes to Hobart (No. 42). Encloses Colonel Mann's memorial for a grant of land; his services; the report of Council on his memorial also sent. Sends with remarks, Young's memorial, which states the reason why he did not follow up the order in his favour of 2nd January, 1796. 23

Enclosed. Memorial of Col. Gother Mann. 25

Report of a Committee of Council on the same petition of John Young. 27, 28

Reports of Committee on same. 31, 32

ber 18, n. Attorney and Solicitor General. Recommending Legislation to enable trials of offences committed in the Indian territory to be held in Lower Canada. 371

ber 27, sh. W. M. Pitt to ———. Has had no answer respecting Gambier's Chief Justiceship, asks him to communicate Addington's answer. Desires to know whether it is Hobart's wish to discourage the grants of land in Canada or to encourage useful men to go thither. If the former, he has nothing to say, if the latter, he has two or three good men to recommend who might succeed admirably there, who have been officers of merit, one especially of talents fit for any purpose; which he details, yet he was reduced to the greatest indigence, through no fault of his own. The other cases are not so deplorable. If permanent employment could be found for him had no doubt his friends could raise £300 or £400. Scott's gratitude. The Bishop of Quebec is going to ordain him. He, his wife and eight children owe their promised affluence to Hobart's benevolence. 377

1802.
No date. List asked for by Mr. Woodford, of the officers, &c., led by de Puisaye with certificate signed by W. Windham. The list is endorsed:—"Memorandum Rt. H. W. Windham, Mr. de Puisaye, &c., &c. Fre denizens. Canada." Page 36

LIEUT. GOV. MILNES—1803.

Q. 91.

1803.
January 5, Quebec. Milnes to Hobart (No. 43). The commission for the trial of marine felonies has not yet reached. Has informed the Commissioners for building the Metropolitan Church at Quebec of the King's intention to give Communion plate, &c., and that instructions had been sent to the Treasury to provide and forward the same. Asks that a pulpit cloth be added. Sends the dimensions of the cloths required. 2

Enclosed. Dimensions of the cloths required:—Pulpit cloth; length 3 yards, breadth 1 yard, including fringe. Small desk; length 1 yard, breadth ¼ yard, including fringe. Front for reading desk; length 3 yards, breadth 1 foot, including fringe. Altar cloth; length 3 yards, breadth 1 foot, including fringe. 4

January 5, Quebec. Milnes to Hobart (No. 44). Sends minutes of Council on State business between 28th May and 29th August. 5

Minutes, 28th May, 1802. Report respecting the sale of the residue of townships in which grants have been made, with journal. 6

Report on the proposition of Philemon Wright on the culture of hemp, with journal. 12

Report on the petition of Alexander Mann, ship builder, for a lease of the King's Wharf. 2

Minutes, 27th July. Report on proposed advertisement for the sale of waste land, with journal. 2

The communication of the signature and ratification of the treaty of peace laid before the Council, with proclamation for a day of Thanksgiving. 2

Minutes, 11th August. Confirmation by His Majesty of three Acts passed during last session, with proposed proclamation. 2

February 2, Quebec. Milnes to Hobart (No. 46). The Legislature to meet on the 8th instant, has summoned Elmsley and Williams to the Legislative Council but owing to the death of Finlay and absence of others, the number of English members in the Province will still be two less than usual during the present session. The "Cureade" has arrived at Halifax, but the commission for the trial of marine offences has not yet been received. 3

February 2, Quebec. Same to Portland (No. 45). Sends minutes of Council on Crown Lands between 26th July and 11th August. 2

Minutes, 26th July. Report on petition, with journal to 7th August 2

(See alphabetical list.)

February 9, Downing Street. John Sullivan to Milnes. Asks for Hobart's information, whether in event of an arrangement between Government and Lord Amherst respecting the Jesuit estates there would be any objection to the seigniory of La Prairie de la Madeleine being vested in Amherst on condition of his resigning, for a consideration, all pretensions to the other parts of the estates. Should there be any material objection could any other seigniory be pointed out to be reserved for the purpose mentioned, if so describe it and state the reasons for recommending the one and objecting to the other. 6

(For date in the margin see answer from Milnes of 31st May, p. 15

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Milnes to Hobart (No. 47). Sends copies of speech at the opening of the Legislature, of the addresses and his answers. Page 62
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Milnes to Hobart (No. 51). Has continued to advance money for the building of the Metropolitan Church, but without authorizing any

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deviation from the original plan which could increase the cost. Th Commissioners have sent a second representation that the estimate ha fallen short of what will be absolutely necessary to complete the build ing. The impossibility of making correct estimate of the cost of erectin stone buildings even of an inferior character owing to the infant stat of the Colony. The care taken by Captain Role in his superintendenc of the work. Page 14

Enclosed. Statement by the Commissioners of the expense alread incurred in building the church, with an estimate of the amount stil required and a description of the building. Their care to keep dow the expense. 14

Ryland to the Commissioners. Their representation shall be trans mitted to His Majesty. The difficulty of estimating the cost of building is convinced that every attention has been paid to restrict th expense. 14

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May 31, Quebec. Milnes to Hobart (No. 52). Dispatches received. Shall give carefu attention to the eligibility of establishing a chartered company for th Fur Trade, but as yet is not prepared to give a decided opinion. Ha communicated to Heriot the wish of the Postmaster General that h should co-operate with Taschereau. Heriot, however, had previously taken measures that rendered this unnecessary. There is no land with in the walls of Quebec for sites for the Scotch Church and for th Congregation of Notre Dame, except that belonging to the Jesuit estates This site occupied by the Jesuit Church might be given for both, as i must be pulled down owing to its ruinous condition. The relinquishin of the rooms in the Jesuit Barracks by these two bodies of worshipper seems a reason for granting them land on which to erect their respectiv churches. 15

Ryland to Heriot. To co-operate with Taschereau in respect to th post-houses. 15

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May 31, Quebec. Milnes to John Sullivan. Asks for new sets of Mediterranean passes Shall give the most serious attention to the question of an arrangemen between Government and Lord Amherst respecting the Jesuit estates Has just received accounts from the Commissioners of their annual pro duct since they were taken possession of by Government, so that h hopes to give his sentiments by next opportunity. Regrets that th Canadian oak has not proved of the quality required by the navy Hopes, however, that Usborne's efforts to establish commerce in thi and other timber may conduce to the essential increase of the trade of th Province. Gentlemen whose Mandamuses are still lying at the Secretary of State's office have been informed that they should direct their agent to apply for them. 15

June 1, Quebec. Same to Hobart (secret). With papers respecting an apprehende attack on the Province. Although he sees no ground to apprehend an serious attack, yet the unableness of the military force may encourag intriguers. 16

Enclosed. G. O. Bradford to the Attorney General, dated Montrea 5th May, that six or eight men with commissions from the Republic France has arrived, having been lately under the command of Humbe in Ireland; two were French, two Scotch, the rest Irish. Thei language evinced hostility to the British Government. 16

Ryland to John Richardson, J. P. That he is to investigate th reports sent by Sullivan, with whom a correspondence may b opened. 16

Material circumstances stated by Daniel Sullivan of St. John's, addressed to Ryland, dated Montreal, 12th July, 1803. Repeating the conversations he overheard and the information he obtained of the designs of men who were employed by the French Government to carry out intrigues against Canada. Two Canadians, Pailleur and Mezières had joined the French officers at Concord, New Hampshire. Description of the two Frenchmen Lacroix and Leclere and of McGinnes and McDonald, all four holding commissions from the French Republic. Page 169

Extract of a letter from John Richardson to Ryland, dated 16th May, that he had received warning from Auldjo to be on the look-out for emissaries sent from France to Canada by Bonaparte. Two of them are de Léry, an officer of French artillery, and Villeray, Canadian born, the latter of who will come under pretext of seeing his friends. 170

Justice Parent to Ryland, 24th May, 1803. Sends extract of letters from France to show that the French had the acquisition of Canada as much at heart as that of Louisiana. 171

Milnes to Hobart (No. 53). Sends exemplifications of Acts passed last session, ot which a schedule and copy of the journals of the Legislative Council are enclosed. The regulation of the Militia was strongly recommended to the Legislature by Lord Dorchester, in 1796 (p. 223). Remarks on the bill as now passed and its effects. Fears it cannot be carried into complete execution whilst the regular military force is not more imposing. The good effect of reviewing the Militia, which he shall continue. Has encouraged the formation of Volunteer companies, of which three are already formed at Montreal, clothed at their own expense; three more are about to offer at Quebec, and one at Three Rivers. Hopes by these means that the backwardness to serve may be gradually got the better of. Refers to correspondence with Portland in 1800-1801; it may be desirable, after certain progress shall have been made, to grant additional pecuniary aid; in the meantime, asks for authority to receive from His Majesty's stores only such arms as may be wanted for the use of the Militia, accoutrements and clothing for 1,200 men having been already provided. 174

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Milnes to Hobart (No. 55). Encloses letter from Isaac Winslow Clarke and of the report thereon by Committee of the Council. His present claim rests on the ground of the expense incurred by him in promoting the views of Government with regard to the culture of hemp in the Province. The *small return* to be expected from his outlay, in

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which he had been encouraged on account of the recommendation to that effect of the Duke of Portland; sends extract from letter to that effect addressed to His Grace, and also from speech to the Legislature. Out of £1,200 Clarke received £200 to carry on the experiment, but had been gradually led on to a much larger expense. Solicits His Grace's approval of the recommendation of the Council, that in consideration of his exertions, Clarke may obtain a grant of Crown lands. Much ground has been prepared this spring for sowing hemp, but it has been impossible to obtain seed. 300

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June 6, Sans Bruit.

Bishop (Anglican) of Quebec to Milnes. Sends with reluctance on account of the ecclesiastical state of affairs in the Province, not because he doubts the importance or urgency of the matters to be laid before him, but because the time may seem ill chosen, when His Majesty's bounty is largely employed in completing a Metropolitan

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Church, but he feels impelled to surmount his scruples and submit several points of immediate moment. The instructions and other documents show the uniform decision to establish the Church of England in Canada. This, he need not observe, has been very imperfectly effected. Considered with respect to the establishment of the Church of Rome, the Church of England sinks into a merely tolerated sect, with not a shilling of revenue it can call its own, without laws to control its members or regulate its vestries, without provision for organizing an ecclesiastical court, or power to enforce its decisions, and what is worst, without a body of clergy capable, either by number or authority to maintain their own usefulness or support the dignity of a church establishment. Is aware that local laws, &c., must be looked for from the Provincial Parliament ,but as at present constituted, the Church of England must not expect any material assistance from it, unless it be first raised from its present depression and derive from the proper authority the weight which can alone give it its constitutional preponderance as the established religion of the country. Wishes to have it determined :—1. Whether the church now building in Quebec, be a metropolitan or merely a parochial church, and be left without a chapter, or some portion of the dignity which should constitute its appropriate character? If a parochial church merely, whether the intention of establishing the Church of England in Canada and of supporting a Bishop's see will not be totally abandoned. The advantages of this establishment, which would extend not merely to Protestants of Lower but also to those of Upper Canada. The majority in both Provinces are dissenters. An effectual and respectable establishment would go near to unite them all within its pale. He would say nothing of its religious benefits, but the political advantages would be incalculable. Another advantage would be the facilitating of the supply of clergy for reasons given. The salaries of the Rectors of Quebec and Montreal are too low, never having been increased since first fixed, although the necessaries of life cost three times what they did then, now £200 a year is very inadequate to the support of a respectable rank in society in these cities, with so many demands for charity, &c. At Three Rivers, the salary being the same as in Quebec and Montreal is enough at present, but that at William Henry (£100) is certainly too low. There is next the want of jurisdiction in the Bishop, instances being given of the evils of this. Suggests that a corporation consisting of the Bishop, the Dean and chapter and other clergy should be constituted for the management of the Clergy Reserves, the income to be at the disposition of the Governor and Council of each Province, and that the Bishop and chapter should be endowed with a portion of the Crown Lands. Vindicates his motives for the application, after the ample provision already made for the support of a Protestant clergy, the prospect of a revenue from the reserved lands is yet entirely future, and that as it increases it would not augment the income of any individual. Refers to successive acts for erecting the Provinces into a Bishop's see, to be called the Bishopric of Quebec, at the same time forbidding the assumption of the title of Bishop or the exercise of any episcopal or vicarial powers within the Province, by any person professing the religion of the Church of Rome, except such as are necessary for the free exercise of that religion, and that only by license from the Governor. But the Superintendent of the Church of Rome is in the enjoyment of all the power and privileges of episcopal authority under which he visits not only this Province or that of Upper Canada, but the Provinces of Nova Scotia and New Brunswick, under the immediate sanction of the Pope's bull. His assumption of the title of Bishop of Quebec. If publicly acknowledged what becomes of the diocese

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proposed to be established? The solecism and danger of two dioceses of different religions with the same name. The continuance of this state of things would be the virtual acknowledgment of the Pope's Bishop and a contravention of the laws and constitution of the country, to perpetuate the law of error and to grant an indulgence to the Canadians more injurious to themselves than even to the English inhabitants. Beseeches that he may not be considered under the influence of an intolerant and uncharitable spirit but attached to the Church of England, it is his bounden duty to watch over her interests, and unless both the positive and relative situations of, the Church of England be radically changed all reasonable hope of maintaining the establishment of that Church will be irrevocably lost, and the Roman Catholic religion to all intents and purposes the established religion of the country. Page 253

Enclosed. Appendix A.—That there are 1,300,000 acres now under patent and 2,000,000 will probably soon be added, so that it was evident that at no distant period the Protestants in the Province would outnumber the Papists. The population of Upper Canada is now 60,000 or 80,000, with an annual influx of 500 families. 271

B.—Respecting the title assumed or attributed to the Bishop of Quebec, with instances of the title being applied. 272

C.—Title of collection of the Epistles and Gospels, the approbation signed by the Bishop, with the title "*Approbation de Monseigneur, l'illus-*" *trissime, reverendissime Pierre Denaut, Évêque de Québec.*" 27-

D.—Titles of religious works *à l'usage du diocèse de Québec.* 27-

June 21, Quebec. Milnes to Sullivan (No. 2). Gives his opinion respecting the arrangement between Government and Amherst on the subject of the Jesuit estates. Encloses report made by the Commissioners for their management, abstract of the accounts of the agents, from the 16th July, 1800, to 1st April, 1803, and memorandum of the produce of the estates for that period. From these it appears that the produce of the seigniory of La Prairie de la Madeleine for one year is £657 16s. 5d., more than double of all the rest put together, the net average produce of all the estates is £968 10s. 4d., deducting the expenditure which will in time not be so considerable and when more lands are conceded and mills put in better repair the estates will rise in value. If it is intended to provide a fund for public education, the residue, after deducting La Prairie will not prove adequate. He believes, therefore, it would not be advisable to make a division of the property, but if the estates are to become the property of Lord Amherst, an established annual sum may be appropriated by Government as a foundation for a public seminary, the importance of which in policy and otherwise, he has frequently stated. 2

Enclosed. A.—Report from the Commissioner for the Jesuits' estates. 1

B.—Abstract of the Agents' accounts. 1

C.—Memorandum of the produce for three years. 1

June 22, Quebec. Milnes to Hobart (No. 56). Sends memorial from Dunn, applying for leave to resign and for a pension. Recommends that the application be granted. Dunn proposes to remain for one or two years longer, but desires to have a decision to enable him to make arrangements. 1

Enclosed. Memorial from Thomas Dunn. 1

June 24, Quebec. Milnes to Hobart (secret). Had received circular with messages sent to Parliament and addresses in reply. Should war with France be renewed, he shall take steps to have the Alien Bill revived by calling the Legislature together, urging them to renew that Act and the Act for the preservation of His Majesty's Government, the more important on account of the reported introduction of spies. Shall in the meantime suspend taking any material steps towards raising the Militia. Believes that the Canadians are much more reconciled to the British Governme

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than at at any former period, and has no doubt that when the Militia Act is carried into effect it will be the means of increasing their confidence and of forming a connection between the Executive power and the bulk of the people, but it would be hazardous to make a material change except in time of profound peace, especially now when the military force is so inconsiderable, not exceeding 1,000 men. How the force is distributed. In the event of war with the States, does not doubt but that the Canadians would turn out against the enemy, but against the French it might be different. The navigation of the St. Lawrence has been probably a security hitherto, but such an attempt on the part of the present rulers of France is more to be expected; besides the interruption to trade, the value of military stores in Quebec, upwards of a million sterling, would be an object, and it is probable they are informed of this and of the inconsiderable garrison. Page 16

Milnes to Hobart (No. 57). Sends minutes of Council on State business, between 30th August, 1802, and 17th February, 1803. 20

Minutes, 30th August. Report, with journal, of Committee on the petition of Isaac McCallum and others, respecting properties in Quebec. 21

Report on Public Accounts, beginning 11th October, 1801, with journals and details. 24 to 67

Minutes, 2nd October. *Mandamus* in favour of De Bonne presented, when he took the oaths as an Executive Councillor and as a Judge in the Court of Appeal. 68

Proposed instrument appointing Commissioners for removing the old walls of Montreal, ordered to be engrossed. 69

Minutes, 12th October. Case of George Perrell, a seaman, confined for murder, referred to a committee. 69

Three negroes reported to be also confined on the charge of being accessories. 70

Dispatch, with minutes, from the Lords of Trade respecting Gale's petition. 70

Minutes, 26th October. Report of Committee on the case of George Perrell, a seaman confined for murder. 75

Minutes, 29th October. Chief Justice Elmsley took the oaths and his seat as member of the Executive Council, and also the oaths as a Judge of the Court of Appeal. 79

Minutes, 9th November. List of debts due to the late lessees of the King's posts ordered to be lodged of record. 81

Milnes to Hobart (No. 58). Sends minutes of Council on State business between 18th February and 2nd March. 83

Same to same (No. 59). Sends four reports and other documents, explaining the occurrences, which have given rise to the new regulations respecting mutation fines. The large increase in the revenue from this source, and the want of a check on the collection have led to errors and omissions, in some instances prejudicial to the revenue, in others to the collector himself. Report by Council on the remedy. Objections made by the Receiver General to his (Milnes') interference respecting the mutation fines, the objection being founded on the instructions in his commission (quoted). The acts of grace in the remission of fines being direct from the Crown should come directly from the person administering the Government, as His Majesty's representative. Had referred the subject to the Attorney General and transmits his report. Report of the Council in consequence of observations on the subject by Cotfin, Inspector of Public Accounts, referring to the want of documents to check the Receiver General's account of mutation fines. The Council reported that the power of ascertaining in the first instance the mutation fines should be invested in the Inspector of the King's domain, and that the acts of grace should proceed from the person administering the

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Government. The situation of the Inspector having lately become vacant, had annexed it to that of the greffier of the *papier terrier* (registrar of the land roll, or land registrar). The propriety of uniting the two offices. Had ordered the Receiver General to communicate with the new officer, Mr. Plante. Sends various documents and explanations of transactions connected with mutation fines, &c. Page 84

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A.—Report of Committee, with remarks of the Inspector of Public Accounts on the Receiver General's statement, his answer and the Inspector's letter. 101 to 108

B.—Attorney General's report, 28th December, 1802. 109 to 114

C.—Instructions to the Inspector of the King's domain, 10th May, 1803. 115 to 117

D.—Inspector of Public Accounts, 7th May. 118

E.—Extract. Lieut. Governor's salary to the Receiver General, 17th May. 119

F.—Report of Committee of Council, 21st May. 120, 121

G.—Inspector of Public Accounts to Lieut. Governor, 9th June, 1803. 122 to 124

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M.—Attorney General to Lieut. Governor, 26th June. 142 to 145

N.—Report from Attorney General, 20th June. 146 to 148

O.—Inspector of Public Accounts to Lieut. Governor, 12th March. 149 to 158

July 1, Quebec. Milnes to Hobart (No. 60). Sends proposed bills to secure titles to lands, when the property has descended, or been transferred to *bonâ fide* purchasers before any grants issued. The question of the law affecting descent and dower, the Chief Justice thought should first be settled, namely, whether those arising from lands held in free and common soccage were to be governed by the laws of England or those of Canada, before the proposed bill should be brought forward. Had referred the question to the Judges of the King's Bench in Quebec and Montreal, five of whom are of opinion that questions respecting lands so granted are governed by the laws of Canada. From the want of unanimity, has transmitted their opinions, to be submitted to the Law Officers or other competent authority. In the meantime, the bill shall stand over. 159

Enclosed. Opinion of Chief Justice Sewell and Justices Dunn and Williams, on the question whether lands granted in fee and common soccage will be governed in respect to descent and dower by the laws of England or those of Canada; the lands they hold to be governed by the laws of England. 161

Opinion of Chief Justice Monk and Justice Panet, that the law of Canada governs the descent, &c., of such lands. 171

Opinion of De Bonne, similar to that immediately preceding. 175

Opinion of Ogden, that the laws of Canada do not govern the descent, &c., of such lands. 182

Opinion of Davidson, that the laws of England govern. 194

July 1, Quebec. Milnes to Hobart (No. 61). Has granted the Chief Justice leave to go to England. The settlement of his affairs may be the means of insuring to the province the advantage of his future services. 202

Enclosed. Elmsley to Milnes, 6th June, for leave of absence. 204

July 5, Quebec. Milnes to Hobart (No. 62). Sends report of Council respecting the appropriation of Crown lands or their revenues for the foundation

and endowment of schools, &c. Recommends the adoption of the plan proposed. Page 205
Enclosed. Extract of letter from Portland, 12th July, 1808, respecting provisions for education in Lower Canada. 207
Report of Council on the extent of lands that should be appropriated for the endowment of schools, &c. 210
Milnes to Hobart (No. 63). Has received no communication from the Admiralty respecting the issue of letters of marque; has referred the question to the Attorney General. On receiving news of the resumption of hostilities had called the Legislature together. Encloses copies of the speech and addresses of the two Houses, which met yesterday. The excellent disposition of both Houses. 225
Enclosed. Attorney General's report respecting the issue of letters of marque. 227
Lieut. Governor's speech on the opening of the Legislature. 229
Address from the Legislative Council. 231
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Answer. 237
Milnes to Hobart (No. 64). Prorogued the Legislature on the previous day after assenting to bills noted in the schedule. Sends copy of his speech. The Alien bill and that for the preservation of His Majesty's Government were passed with alacrity and a more loyal spirit was never manifested. Alarming fires in Montreal, believed to be designed and not accidental. At the desire of the Magistrates a proclamation has been issued with the object of discovering the incendiary or incendiaries, offering a reward of £500, besides what has been offered by the Magistrates. 238
Enclosed. Schedule of Acts (four in number) passed during the session. 240
Speech from the Lieut. Governor. 241
The Magistrates of Montreal, dated 8th August, respecting supposed incendiary fires. 243
Proclamation offering a reward for the discovery of incendiaries. 245
Abstract, dated 8th August, describing additional alarm of fire. 247
Milnes to Hobart (No. 65). Transmits letter from the Bishop (Anglican) of Quebec respecting the situation of ecclesiastical affairs in the Province. The Bishop has gone so fully into the subject as to leave little to say; besides as it is subject to His Majesty's determination would consider it unnecessary to do more than transmit the statement. Owing to the high character of the Bishop recommends his application. 251
(The enclosure of 6th June, calendared at its date).
Same to same (No. 66). Forwards memorial from the Marquis Dubarail, whose conduct during his residence in the Province has been perfectly correct. 279
Enclosed. Memorial (in French) from the Marquis Dubarail, stating his fidelity to his King, his retreat from Gaudaloupe, his services when attached to the British forces and asks employment or subsistence. 280
Hobart to Milnes (No. 16). Sends authority to the Council to make a grant of 5,000 acres to Gother Mann. The order of half a township to Young and associates is not to be acted upon, but he may receive as favourable a grant as the regulations will admit. The site on which the Jesuit Church stands to be granted to the members of the Scotch Church and the Congreganistes of Notre Dame. The necessity for caution in carrying into effect the provisions of the Militia Act, but as it becomes understood it will be the means of increasing the confidence of the Canadians in Government. The attention he (Milnes) has given to the subject will

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enable him to judge of the proper period for bringing forward the measure. He is authorized to receive from His Majesty's magazines at Quebec the arms necessary for the Militia. The establishment of volunteer corps equipped at their own expense may be of advantage if proper care be taken in the selection of officers and admission of none but responsible persons; they must not be multiplied without caution. The recommendation of quarter of a township to Isaac W. Clarke for his expenses in the culture of hemp has been approved. Has no doubt that instructions will be sent by the Treasury to the Receiver General in respect to mutation fines. The question as to whether lands in free and common soccage are to be governed, in respect to descent and dower, by the laws of England or of Canada has been referred to the Law Officers of the Crown. Sends copy of Act extending the powers of the Courts in Lower and Upper Canada to the trial of persons charged with crimes in parts not considered within their jurisdiction. His Majesty has consented that appropriations of land may be made for the establishment of a seminary at Quebec and another at Montreal. Page 218

ber 9, Milnes to Sullivan. Transmits a paper to be laid before Hobart, received from the gentlemen at the head of the North-West Co., which has succeeded in opening a communication with the North-West through British territory, so that the traders are no longer compelled to carry their peltry through any part of the United States, so that a source of misunderstanding will be removed. The new North-West Company, consisting of Sir Alexander Mackenzie and others have also opened a communication by cutting a road in a line nearly parallel to the canal made by the old company. Recommends McGillivray, a member of the first company, who is going to England, and can give full information respecting this important branch of trade. Calls attention to the promise of Hobart, to erect a competent tribunal for the trial of offences committed in the Indian territory, without the limits of the two Canadas. 283

Enclosed. Report by McTavish, Frobisher & Co., dated 1st September, 1803. The line to the North-West, established by the treaty of 1783, compelled traders to go as far as Lake of the Woods as United States territories, particularly at the Grand Portage and on the Straits of St. Mary. The formation of the North-West Company, in the winter of 1783-4; their explorations under the sanction of Haldimand, of the route by Lake Nipigon, which was found to be too circuitous and difficult. Until 1796, the North-West Company remained unmolested at the Grand Portage, but after the cession, in consequence of duties, &c., imposed by the United States, it became necessary to open up communications with the North-West, through British territory. A survey was, therefore, made on the north side and a canal built for boats between Lakes Huron and Superior, with the impediment of only one lock. Before the change of the general place of rendezvous to bring it within British territory, several voyages were undertaken by the agents and partners to explore the country, and the route finally determined on in the summer of 1802. Men have been employed making roads &c.. and the business is now carried on with much greater ease than by the Grand Portage. The new establishment lies about 50 miles north east of the Grand Portage, at the mouth of the Kaministiquia, which falls into Thunder Bay on Lake Superior. The river at the fort is three fathoms deep at the banks, 200 yards across. The French had a small station near the spot, but they never made it a road of communication to prevent broils with the Indians. The Company, with the approbation of the Governor of Upper Canada, purchased in the year 1798 from them the lands to the north of St. Mary's, and at the mouth of the Kaministiquia, but Government has not yet confirmed these grants

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notwithstanding the exertions of Simcoe. The advantages of the new route are thus stated:—"To render the North-West trade perfectly "independent of the Americans, being far removed within our own "territory. It avoids the great expense attending the transport of "goods across the Grand Portage, as the carrying places by this route "are not longer than by the old route, leaving out the Grand Portage "entirely, which is nine miles long. There are fewer lakes, conse- "quently the canoes will be less subject to stoppage from high winds. "The country is more fertile in soil and richer in animals; and withal "much more agreeable to the traveller. It falls into the old track in "Lac de la Croix, near Lac de la Pluie, about 300 miles from Lake "Superior, and Montreal canoes can be made to navigate it, a thing "impossible by the old road." Page 286

ber 18, ec. Milnes to Hobart (No. 67). Sends requisition for goods for presents to the Indians. 291

Enclosed. Requisition. 292

ber 18, ec. Milnes to Hobart (No. 68). Sends minutes on State business from 23rd March to the 13th September and on Crown Lands from 24th March to 29th July. 295

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On petition respecting part of the breach in Lower Town, and petition in opposition by citizens of Quebec. 299

Further concerning goods belonging to Nurss and White. 301

Report on petition by Philemon Wright for the grant of Kettle Island. 301

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Report on the petition of I. W. Clarke respecting the expense incurred by him in the culture of hemp. 306

Minutes, 10th May. Report on two petitions from Joseph Papineau respecting the seigniory of le Petite Martin. 308

Minutes, 15th June. Report on the preservation of plans in the Surveyor General's. 310

Report of the Commissioners for removing the walls, &c., at Montreal. 312

Minutes, 27th June. Report on a letter from the Inspector of Provincial Accounts, respecting the Accounts of the Receiver General. 315

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Minutes, 19th July. Report on petitions, with journals of proceedings. 375
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October 18, Quebec. Milnes to Hobart (No. 69). Sends Naval Officer's returns of vessels entered and cleared at Quebec, between 5th July, 1802, and 5th January, 1803. 381

1804. Returns. 382 to 390

January 9, Downing Street. Hobart to Milnes (separate). After considering the important topics in the communication of the Bishop of Quebec, and with every disposition to pay due attention to his suggestions it is not thought expedient to agitate questions which might excite differences between the heads of the Protestant and Roman Catholic Churches. It is desirable that he (Milnes) should point out to the Bishops the propriety of abstaining from acts that might cause irritation in the minds of the clergy or of the persons professing the religion they respectively superintend. The Catholic Bishop should be informed of the impropriety of assuming new titles or additional powers, and that it is expected such should not be persevered in, if any have been recently taken up. The French emigrant priests should understand that they are only here on sufferance and that the indulgence shown them is liable to be withdrawn, if they show themselves undeserving of it. The importance of inviting all Protestant dissenters within the pale of the Church of England. The policy of fixing the seat of the Protestant Church in Upper Canada to be considered. Desires him to send a return of the incomes of the livings in Lower Canada, with details. Desires additional information on the subject of his dispatch to Portland of the 1st November, 1800. The plan for the establishment and endowment of an extensive institution for education, by the erection of seminaries in Quebec and Montreal will tend to promote the objects recommended by the Bishop of Quebec. It seems desirable to postpone the consideration of other matters he represents as highly interesting to the Protestant Church establishment until a more favourable opportunity. 273

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January 19, London. Captain Isaac Coffin to Hobart. Had been granted the Mag Islands in 1798 and received the patent from the Governor of Qu The settlers on the Islands are under the belief that they are subje the Government of Newfoundland instead of that of Lower Ca as the Admiral on that station has been in the habit of exercising torial jurisdiction. Asks that it be signified that these Islands belo Lower Canada and that the Governor of Newfoundland is not mitted to exercise any authority in them. Page

January 29, London. F. Freeling, General Post Office, to John Sullivan, Under Secretary is evidently the recent separation of Superintendent of Post-houses that of Deputy Postmaster General has caused inconvenience and more may be expected. The mischief caused by the double servi the *Maîtres des postes* are to be confined to the duty of carrying pa gers, instead of both mails and passengers when under one control, w gave Government a cheaper service. It will probably be necessa give some additional allowance for carrying the mails, but it is fo (Sullivan's) department to determine whether any good reason has given for separating the services of forwarding the mails and conve passengers, or if it would not be better to confirm the long establi practice of having them united. If the latter the instructions to H could be framed accordingly.

February 1, London. Paul LeMesurier to Sullivan. Had sent about two years a memorial from Philip Robin, who desired to settle some of the uncle lands in Lower Canada, and particularly to engage in the cultu hemp, and for this purpose asked for a grant of 20,000 acres. memorial, which asked for some pecuniary assistance. No report received at the time the transfer of the affairs of the Colonies was from the Home Office; asks if one has been since made. Robin since spent another winter and summer in Lower Canada at the fi grounds and having returned, renews his request for a townshi 20,000 acres in Molle Bay, immediately south of Gaspé Bay, bet 48° 10′ and 48° 12′ north latitude being the same spot as that praye in his former memorial, and is still uncleared. Robin engages to settle and cultivate the land in such time as Government shall req The good character of Robin, his energy, &c.

February 15, Quebec. Elmsley to Hobart. Transmits memorial to have his house in bought by Government for public uses, and states the causes that led to the deterioration of his private fortune.

Memorial.

February 20, Quebec. Elmsley to King. Further about the application for the sale o house in York.

February 21, London. Thomas Dunn, memorial for leave to retire on a pension, aft years' service.

February 23, London. Commissioners of the Navy to Sullivan. That the sample of oa by Milnes is not suitable for building or repairing ships in the Navy.

Coffin to Lord St. Vincent. That he had applied to have the Magdalen Islands officially declared to be part of Lower Canada. The grant and other papers are in Halifax, which obliges him to resort to this measure and requests His Lordship to remind Lord Hobart of his services, &c. 143

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Sir Stephen Cottrell to Sullivan. Encloses memorandum of the Lords of Trade on the claims of D. Coxe, respecting lands mentioned in *Mandamus* of 1769. 145

Enclosed. The memorandum referred to. 146

W. Fawkener to Sullivan. Minute of the Lords of Trade on Act for regulating the police in Quebec, Montreal and Three Rivers. Pointing out the impropriety of the clause delegating to the magistrates the power of imposing pecuniary fines for breaches of the law. It might be inexpedient, as there have been similar powers in previous bills, to disallow the present Act, yet the attention of the Governor should be called to the subject. 148

John Brickwood, jun., to John Sullivan. Transmits documents relative to Canadian hemp and oak timber. 150

Enclosed. Observations on Canadian hemp by W. & G. Fowler, twine and net makers, Bridgeport. 151

The same by Robert Rich, rope maker, Dockhead. 154

Remarks by several ship builders on the quality of Canadian oak timber, and the uses to which it can be applied. 156

Elmsley to Sullivan. Sends duplicate of letter of 15th February. Had been under the impression that the memorial (copy of which was then sent) should have been transmitted through the Governor, but General Hunter had declined to forward it. 157

Sargent to same. Transmits letter from Fawkener, relative to a petition from Daniel Coxe respecting lands. 159

Same to same. Transmitting petition from James Monk, late Attorney General for Quebec. 160

Enclosed. Monk's petition for remuneration for services as Attorney General. 161

Statement of Monk's case. 166

Dunn to Lady Hervey. That could he have finished his business here, he would have returned to Mrs. Dunn, who would have remained with the boys, if the expense could have been afforded. Had sent a memorial to Lord Hobart applying for leave to resign on a pension, but it should have been sent through Milnes. Hopes, if opportunity offers, that she will put in a word for him with Hobart. Comparison of his salary with Osgoode's and the retiring allowance he obtained, which may be a guide to what he (Dunn) might expect. Had purchased for his eldest son Thomas, an ensigncy in the 14th Regiment. 171

Fawkener to Sullivan. The Lords of Trade approve of the caution of the Executive Council in respect to Philemon Wright's proposals for the cultivation of hemp. His plan of sowing in drills may produce more seed, but it is apprehended that it may be at the risk of the stalk throwing out side shoots, to the detriment of the fibre, which should be straight. 175

Sargent to same. The Treasury transmits memorial of Henry Caldwell, Receiver General, who asks for instructions. 177

Osgoode. Memorial stating his services. Prays that he may be enabled to take in this country the necessary oaths to enable him to obtain his grant of lands in Quebec. 178

Elmsley to Sullivan. The desire of every man to return to his native country. An Act has been passed to give a pension of £1,000 a year to persons who shall have served six years as Judge in the Vice Admiralty

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Court in America and the West Indies. The office of Chief
either of the Canadas not inferior to that of a Judge of Vice A
The important duties of a Chief Justice in addition to hi
functions. The reasons for granting the privilege to the Vice
Judges apply with equal strength to the Chief Justices. As
may be allowed to hope for such a provision as that mad
Judges of the Courts of Vice Admiralty. If not, he shall
submit.

September 10, Downing Street. Geo. Hammond to same. Returns Dunn's original memo
copy of letter from Liston on the same, by which it appears t
is no prospect of obtaining redress for Dunn from the
Government.

Enclosed. Memorial from Thomas Dunn, dated in Lon
August, 1802.

October 10, Admiralty. Evan Nepean to Sullivan. Had laid before the Admiralty th
tion for Mediterranean passes from Milnes. Twenty were
March and since acknowledged.

October 18, Quebec. Milnes to Hobart (No. 70). Sends exemplifications of the A
last session, Schedule and Journals of the Legislative Council.

Schedule.

Journals of Council, beginning with proclamations calling th
ture together, &c.

October 21, Quebec. Milnes to Sullivan, Under Secretary of State (secret). Had
letter authorizing Simon Bonsin, late of the diocese of Tours t
to Montreal as one of the resident Catholic clergymen, and ha
at liberty to proceed thither. Reports the course followed by
French emigrants, especially two not mentioned in the list of t
remain. One M. Jacques de la Vairre, who had officiated at Thr
but had left the Province taking with him a nun of the Ursuline
Abbé Desjardins, who with others received letters of deniz
returned to France and is Grand Vicar of Autun. His brother
acting as a Missionary to the Indians of Restigouche and Po
and now officiates as Grand Vicar of Quebec. How far the app
of Abbé Desjardins to the Vicar Generalship in Autun is due t
nection with the Bishop (Talleyrand) is deserving of cons
Attention was called by Prescott in 1797 to the danger of admittir
emigrant priests and Portland promised to attend to the repre
Calls Lord Hobart's attention to this subject and points out t
that may arise from this cause. Will send statement respe
seminary estates in Montreal taken possession of by French S
when only one or two of the original members were living.
statement by M. Roux, Superior of the Society, it appears that t
produce on an average about £4,000 yearly. Will send thi
important report drawn up in 1789 by the Attorney and Solicito
on these estates. The introduction of priests from France ha
very much to weaken the sense of dependence of the Canadian
His Majesty's Government.

Enclosed. Lists of priests who emigrated from France and
Lower Canada since the 1st of May, 1792.

Oath of allegiance taken by the Rev. Philippe Jean Louis
on the 20th of October, 1794, extracted from the minutes of
that date.

October 22, London. Attorney and Solicitor General to Hobart. That the English
respect to descent and dower must regulate a soccage
Canada.

October 26, Quebec. De Lanaudière to Sullivan. Calls attention to his memorial
to Milnes and by him transmitted to Hobart.

1803.

(For letter and memorial, 2nd September, 1802, referred to in preceding, see Q. 90, pp. 346, &c.)

ober 27, Milnes to Hobart (No. 71). Had represented the deranged state of the Surveyor General's office; had given the commission of Surveyor General to Mr. Bouchette. The satisfaction at his conduct has led to a commission of Surveyor General being issued in his favour. Hopes that His Majesty will approve of the appointment. Page 54

Enclosed. Minute of Council, 15th August, 1803, on the Surveyor General's office. 56

ober 30, Joseph Bouchette to Simcoe. Had taken the liberty of applying for his interest towards obtaining him the office of Surveyor General, and had sent memorials, &c., on the subject. His good prospects of obtaining the appointment and the favourable effect of his (Simcoe's) influence if used on his behalf. 198

ember 1, Milnes to Hobart (No. 72). Sends minutes of Executive Council on State business from 14th September to 24th October. 61

Enclosed. Minutes, 24th October. Report on a letter from the Deputy Surveyor General. 62

Report on Public Accounts for six months, ending 10th April, 1803. 64 to 95

ember 19, Memorial by Edmund Burke, one of the Vicars General of the diocese of Quebec. That he had been removed in September, 1794, from the livings of St. Peter's and St. Lawrence, in the Island of Orleans, by Mgr. Hubert, Bishop of Quebec, to the River Raisin, in the Miamis country, in order to counteract the machinations of the Jacobins among the settlers and Indians, which might have been fatal to the 24th regiment stationed at Detroit, and the Miamis about 80 miles distant from each other, the settlement of the River Raisin being midway. His success in bringing the settlers to obey the Militia laws. After the cession of the posts he was offered the living of Ste. Anne, Detroit, on condition of becoming an American subject. Believing that that would induce others to follow his example, he rejected the offer, so that he could return to the King's dominions. That on his return to Quebec, Prescott granted him £100 a year as an indemnification for his losses. In 1801 Bishop Denault sent him to Halifax, Nova Scotia, to quiet some difference which had arisen among the members of the Roman Catholic congregation there, which he effected. In consequence of the removal, Milnes had refused to issue the usual warrant for his allowance. Sends copy of letter from Simcoe in proof of his statements. Refers to the Duke of Kent and others as witnesses to his veracity, and prays that the Lieutenant Governor be ordered to issue the usual warrant for the King's bounty, 201

Enclosed. Letter from Simcoe to Burke, dated Quebec, 5th September, 1796, with extract of letter to Dorchester, recommending a loyal clergyman to be sent to Rivière au Raisin, and the selection of Burke by Dorchester. 206

ember 24, Milnes to Hobart (secret). For leave of absence, and that his salary be continued while absent from his Government. 96

Enclosed. Portland to Milnes (private), dated London, 6th December, 1795. His concern at authenticating the King's leave of absence to him (Milnes). The proof of this is the confidence placed in him by His Grace; hopes he will not endanger his life by continuing to combat with a climate that seems so injurious to him. The entire satisfaction of the King and his Ministers with his whole conduct. The only thing to find fault with is not having accepted the offer made by the Island of an additional appointment. The offer should have been communicated, so that it might be laid before the King, and, if renewed, His Grace is

1803.

to be informed. Although it be right to require him to leave Martini yet the public has a right to his services when opportunity offers. 1
(Written when Milnes was Governor of Martinico.)

December 24, Treasury. Vansittart to Sullivan. Transmits requisition for stationery, fr Milnes. Page 2

December 30, Treasury. Same to same. Transmitting requisition from Milnes for goods to used as presents for the Indians. 2

December 30, Horse Guards. R. H. Clinton to same. That M. Dubaril's name is noted for emplo ment in a foreign corps. 2

December 31, Quebec. Milnes to Hobart (No. 73). Encloses letter from Sir John Joh st respecting an allowance of £200 a year, which from 1785 to 1800 w paid him out of the military chest. This was discontinued on the 25 December, 1800, when the management of Indian affairs in Low Canada was committed to the person administering the Civil Gover ment, the Indian officers to be paid by his warrant. Submits the lett and asks that authority be given to pay the arrears and continue t allowance. 1

Enclosed. Sir John Johnson to Milnes, dated 22nd December, 180 on the subject of the allowance mentioned in preceding letter. 1

Lord Sydney to Sir John Johnson, dated 20th August, 1785. Autho izing him to draw for £1,000 as salary, and that every exertion will made to have this augmented. 1

1804. January 9, Downing Street. Hobart to Milnes (No. 17). Dispatches (63 to 71) received. Sen report on the question whether lands in free and common soccage a governed with respect to descent and dower by the laws of England those of Canada. The contents of No. 13 of 1st December, 1802, to communicated to M. de Lanaudière. Authority given to pay to Du a pension of £500 a year for life out of the revenues of the Provinc Sends copy of letter from Col. Clinton to Sullivan in respect to t memorial of the Marquis Dubaril. Sends report of the Lords of Tra on the Acts for regulating the police of Quebec and Montreal.

No date. Memorial of Sir George Pownall, Secretary and Registrar of Low Canada, that his commission may be renewed, omitting the clause th enforces residence, the Government of the Province being now in settled form. 2

LIEUT. GOV. MILNES—1804.

Q. 94.

1804. January 4, Quebec. Milnes to Hobart (No. 74). Sends minutes of Executive Council State business from the 25th October, and concerning the Waste lands the Crown from the 30th July, both to the 25th November. Page

Minutes, 25th November. Report on Peter Pangman's applicati for the usual reduction on the payment of *quint* for the purchase of t seigniory of La Chesnay.

Report on the application of Indians of the village of Bécancour, lands in the township of Wendover, that all such applications must transmitted through the Superintendent General.

Minutes, 12th November. Report on petition, &c.

Minutes, 23rd November. Report on petition of Abenaki Indians.

On other petitions. 11 to

January 9, Downing Street. Hobart to Milnes (No. 18). To obtain and transmit an accur return of every article of supply lodged in the public storehouses. similar instruction has been sent to Hunter.

February 1, Quebec. Milnes to Hobart (secret). Sends copy of letter from Barcl Consul General at New York. In answer to request, Richardson

1804.

Montreal reports that the persons alluded to (Jerome Bonaparte and Rous) are not in Rouse's neighbourhood nor along by Plattsburg, nor have they visited Albany, although it was believed there that a visit was intended to that place during the winter. Has engaged Richardson to try to gain over Rous, who could be of essential service. Page 16

Enclosed. Barclay to Milnes, dated New York, 2nd December, 1803. Jerome Bonaparte has for some time been in these States, especially Maryland. He arrived in New York about the 20th of November, and has left ostensibly for the Southward, but he (Barclay) is informed that he (Jerome) intends to go to Albany to communicate with the French in Lower Canada, and probably after that to go to Lake Champlain, where a Frenchman named Rous lives, who is notorious for assisting British deserters. McLean, hung for treason, was particularly intimate with Rous. The watch it is desirable to keep on the movements of Jerome Bonaparte. The following is his description :—"Jerome Bona-"parte appears about 21 years of age, 5 feet 6 or 7 inches high, slender "make, sallow complexion, sharp and prominent chin, cropped dark "hair short, but he sometimes adds a *queue* and is powdered, dark eyes. "A gentleman who assumes the name of Alexander attends him. In "height from 5 feet 9 to 5 feet 10 inches, fair complexion, pitted a little "with the smallpox, thick sandy hair, and has a remarkable mole on "that part of the left ear through which a hole is usually made for a "ring." 18

ruary 21, Milnes to Hobart (No. 75). Sends minutes of Executive Council on State business from 25th November to 18th January. The usual remission of one-third of the *quint* to Mr. Pangman having been recommended had been granted. 21

Enclosed. Minutes, 25th November. Report on mutation fines due by Pangman, that the deduction of one-third be made on payment. 22

Report on the application of the Indians of Bécancour. 24

Minutes, 7th January. Report on the petition of Simon McTavish, respecting the *quint* due on his purchase of Terrebonne. 25

Report on the Crown and Clergy Reserves, Minutes, 18th January. 28

Report on proposed proclamation for a day of fasting and humiliation. 30

ruary 24, Milnes to Hobart (secret). Sends copy of correspondence with Richardson respecting the apprehended visit of Jerome Bonaparte to Albany, Lake Champlain, &c. No positive intelligence has yet been received of the French Government tampering with the disaffected in the Province, but the steps taken can hardly fail to detect such an attempt. Information sent to Hunter relative to Réné Fouquet, mentioned in Richardson's letter. His arrival on the boundary when Jerome Bonaparte was expected seems to indicate a connection between them. The smallness of the military force necessitates the use of such channels of information as may serve to detect and frustrate the more secret attempts of the enemy. 34

Enclosed. Ryland to Richardson, Quebec, 26th December. Instruction to prosecute inquiry respecting Jerome Bonaparte, &c. 37

Richardson to the Attorney General, Montreal, 20th February. Return of No. 2 who believes that Fouquet is a French emissary employed by the French Consul at Boston. He is no doubt the author of the story that the Americans having got Louisiana are desirous to extend their boundaries to the St. Lawrence in which they would be assisted by France. Unfriendly conduct of Jefferson, but he is too great a coward to risk an actual breach with Great Britain, unless the latter met with serious injury. The means taken to secure the best services of No. 2. Arrangement made with No. 3 (Rous), to last only so long as Great Britain and the United States are at peace. He has been employed by

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Genet, but is not now engaged and promises to be faithful. No. 2
No. 3 have no knowledge of each other. No. 3 believes Fouquet t
a French emissary; does not think Canada will be invaded this y
unless the French are very fortunate on the other side of the w
Two emissaries are now in Canada. Does not think that Jeffer
party has any serious idea of quarrelling with Great Britain. Th
orbitant demands of No. 3, which must be complied with if intellig
is to be obtained. A person sent to discover Duclos. Butterfield'
formation supposed to be political turns out to be in reference to fo
American notes. If the rascals could be sent to undergo trial in t
own country, it might lead to some reciprocal benefit on the part of
United States. Pag

Ryland to Richardson, Quebec, 24th February (secret). War
issued to repay the £150 advanced by him (Richardson). The L
Governer agrees that in such cases Government is liable to imposi
on the part of secret agents, but those employed being now aware
they will be fairly treated should be informed that they will receiv
ample reward for real services, but that Government will not be imp
on by pretended plots and conspiracies.

February 24, Quebec. Milnes to Sullivan. Respecting a sum of £775, accrued from fe
grants of land in Lower Canada; had written King on the subject, w
answer is enclosed.

Enclosed. King to Ryland, Whitehall, 28th February, 1801.
the 73rd clause of the Instructions, which directs how the fees are t
distributed, not being sufficiently explicit, the amount (£160) alr
received on that account to remain in the hands of the Rec
General.

Portland to Milnes, Whitehall, 19th April, 1799. Refers to the dec
respecting the fees communicated to Russell.

Portland to Russell, Whitehall, 10th January, 1798. That the
fees coming to the Governor are to be divided during his absence
the Lieutenant Governor or person administering the Province.

February 25, Quebec. Milnes to Hobart (No. 76). Sends speech at the opening of the L
lature and the addresses in reply. Transmits petition from the pa
oners of Christ Church, Montreal, for a site on which to build a
church, the previous one having been burned down, and encloses a
showing the proposed site. The lot marked Old Prison, is the gr
specially recommended to be granted, as the Engineer reports that
not likely to be wanted.

Enclosed. Speech to the Legislature.

Address of the Legislative Council in reply.

Answer.

Address of the Assembly.

Answer.

Petition of the parishioners of Christ Church, Montreal, for a sit
a new church.

Plan of part of Montreal.

(The site of the old prison was granted, see Series C. Vol. 63, p.

Report of Col. Gother Mann, Quebec, 27th November, 1799, on Go
ment property in Montreal.

February 25, Quebec. Milnes to Hobart (No. 77). Transmits a memorial from Le Ma
for the grant of a township. His services can be testified to by
chester.

Memorial by Le Maistre.

Report on a previous petition from the minutes of Executive Cou
26th October, 1792.

March 10, Downing Street. Hobart to Milnes (No. 19). Transmits memorial from Monk re
ing his claim for fees as Attorney General. To settle with hi

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accordance with the scale now fixed. Forwards memorial from Smith, appointed Master in Chancery, praying that an adequate salary should be attached to the office. To consult with the Legislature, and if thought proper, assign a salary out of the Colonial revenues. Has granted Smith an additional leave of absence of six months. Sends petition of Vicar General Burke, so that a report may be made of the reason of stopping the payment of his allowance of £100 a year and how far it may be advisable to issue it as usual from 1st May of 1802. Page 77

y 2, bec. Milnes to Hobart (No. 78). Sends minutes of the Executive Council on Crown Lands from 26th November, 1803, to 7th March last. 80

Minutes, 1st March, with journal of proceedings and report on petitions. 81 to 87

(For names see alphabetical list.)

y 16, bec. Milnes to Hobart (No. 78, a duplicate number). Sends copy of his speech on the prorogation of the Legislature and schedule of the Acts passed. The bills for the prevention of accidents by fire and for the erection of gaols not passed, but from their local importance there is no doubt of their meeting attention at a future session. 88

Speech on proroguing the Legislature. 90

Schedule of Acts passed in the fifth session of the third Provincial Parliament of Lower Canada. 93

y 17, bec. Milnes to Hobart (No. 79). Dispatches received. Shall communicate to the Judges the report of the Law Officers on the question of the law that should govern lands held in free and common soccage. Shall inform Dunn of the King's bounty and Dubarail of the Commander-in-chief's decision in his case. Was not aware of the objections to the Act 42 Geo. III., Cap. 8, submitted by the Lords of Trade on the 17th May, 1803; shall send the particular reasons for passing the Act. Shall communicate to the Council the remarks of the Lords of Trade on the proceedings relative to Philemon Wright's proposal. Shall transmit Monk's account for fees when received from him. Smith when appointed Master in Chancery was informed that no salary would, for some time at least, be attached to the office. Shall recommend a salary when opportunity offers. Had discontinued the allowance to Vicar General Burke on his removal from his mission to the Indians at Amherstburg to Halifax, Nova Scotia, without notice, but owing to representations of his loyalty and services had resumed payment and should continue the same unless he received directions to the contrary. Shall send observations on the state of ecclesiastical affairs in the Province; the good understanding between the Anglican and Roman Catholic Bishops. Shall order a return to be made of all the public stores belonging to the Civil Department in Lower Canada, which consist only of goods intended as presents for the Indians and the remains of the Militia clothing and accoutrements sent out in consequence of a requisition from Lord Dorchester in 1796. 99

(No. 80 is a duplicate of this letter and therefore not copied.)

y 17, ntreal. Richardson to Ryland. Return of No. 3 from the States, to which he had gone on the 20th March; his interview at five miles from Albany with Genet, who said he had retired from politics; advises No. 3 to see Pichon at Washington respecting the plans of the French Government on Canada, as the consuls knew nothing of them, not being trusted; his journey to Washington, &c.: his conversation with Pichon, who told him the plan respecting Canada was dropped for the present, England being yet too powerful at sea; the friends of France in Canada recommended to be quiet, so as to avoid suspicion; they would have intimation when the idea of an invasion was resumed. He (Pichon) expected soon to be relieved by an ambassador, to whom he would recommend No. 3 (Rouse) for employment. There had been an intention to invade Canada by some

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of the embarkations for St. Domingo, but the measure was given up various reasons. Remarks about the invasion of Britain, Bonapar designs, &c. Has no doubt No. 3 was where he says and reports fa fully but whether Pichon told the whole truth is not so certain. No. 3 f believes in his statements and the quiet in Lower Canada will be a p of his sincerity. The accounts of the villanies practised by the Fre soldiers in St. Domingo had cured him completely of the wish to them in America or Canada. No. 3's request for money; asks for structions on that point. Page

May 23, Quebec. Milnes to Hobart (secret). Sends copy of letter from Richard with the result of the steps taken to discover persons in the Un States who might be employed by the French Government to dis the peace of the Province.

(Letter from Richardson calendared at its date, the 17th May.)

June 7, Downing Street. Lord Camden to Milnes (No. 1). Although nothing appear strengthen the supposition that there are French emissaries in the vince, yet he should continue to keep a watchful eye on strange suspicious characters. The lot marked Old Prison granted to Ch Church, Montreal, as the site for a new church. Cannot recommen extensive a grant as that asked by LeMaistre, but he may have grant as the Governor-in-Council may think adequate to his serv without public inconvenience. Recommends that the request of Ar bus of Three Rivers, for leave to occupy and improve certain water contiguous to his premises in Quebec be granted, unless the Governo Council shall find it to be inexpedient. The King authorizes the ment to him (Milnes) of the half fees collected since his administra now in the hands of the Receiver General. Shall recommend leav absence to him (Milnes) when it can be granted without prejudice to service.

(A letter No. 1, acknowledging receipt of dispatches 46 and 47 that duplicates of some of Hobart's recent dispatches had been sen in Series C., vol. 245, p. 100. The dispatch here numbered 1 it w seem should have been No. 2, and it will be observed that there i dispatch of this number among the Colonial Office records, the num being 1 and then 3). Both dispatches No. 1 are of the same date— June, 1804. Dispatch No. 3 is dated 2nd August, and is at page 10 this volume. Apparently the real No. 1 was not copied in the Colo Office. Nos. 1 and 2 are acknowledged by Milnes on the 14th Aug see this volume, page 231.)

June 20, Quebec. Milnes to Hobart (No. 81). Transmits minutes of Council on S business from 11th January to 7th March.

Minutes, 1st March. Report on Public Accounts for the half y beginning 11th April, 1803, with journal, tables and details. 119 to

Minutes, 7th March. Statement of the Provincial Revenue and Ex diture from 6th January, 1803, to 5th January, 1804.

Report on Public Accounts approved of, and ordered to be entered.

June 25, Quebec. Milnes to Hobart (No. 82). Sends the Attorney General's repor the reasons for passing the Act for regulating the police in Que Three Rivers and Montreal. Has always consulted the Law Offi before assenting to the Provincial Acts. The beneficial effects w have already attended the Police Act.

Report of the Attorney General.

July 18, Quebec. Milnes to Hobart (No. 83). Sends minutes of Council on State ness from 18th March to the 13th June, and on Crown Lands from March to 30th May.

Minutes, 30th May. Report on memorial of Peter Desbarats res ting the printing of the first volume of the French edicts.

Report on two memorials of Simon McTavish as respects his right to make a dam between Isles du Moulin and Viger. Page 191

Report on memorial of William Burns respecting commission on sales. 192

Report respecting Crown and Clergy Reserves. 193 to 198

Report on the memorial of Thomas Munn, Sheriff of Gaspé. 199

Report on the memorial of J. G. Beek, Customs Surveyor, Montreal, for an increase of salary. 199

Letter respecting the culture of hemp laid before the Council. 200

Correspondence with the Receiver General respecting the Public Accounts. 203

Proposed proclamation for dissolving the present Parliament of Lower Canada, completed, approved of and ordered to be issued. 205

Minutes on Crown Lands, 30th May. Journal of proceedings of the Committee on Petitions. 210 to 221

(For names see alphabetical list.)

Milnes to Hobart (No. 84). Sends list of stores intended for the use of the Indians of Lower Canada which are now on hand. The return includes all articles of supply except a few militia stores, which will be included in the return of the Commissary General. 223

Return of stores for the use of the Indians. 224

Camden to Milnes (secret). The secret intelligence in letter of the 25th May, (23rd, see p, 107), is confirmed by information collected here (in London). He should not, therefore, lose the present channel, as it may become of real importance. 116

Same to same (No. 3). Dispatches received. Transmits memorial from Abraham Cuyler stating his services and losses and praying for land as a compensation. Lot of land in Montreal and such further grants in addition to that already received as shall make up the amount to 20,000 acres, unless there should be strong objections. As an acknowledgment of the extraordinary services of H. W. Ryland, he is to receive an additional allowance of £300, to begin on 24th June last and continue till further orders. 105

Same to same (No. 4). The King has granted him leave of absence, but he is to be prepared to leave for Canada in one of the earliest ships in the following spring. 228

Milnes to Hobart (No. 85). Sends Naval Officer's returns of vessels entered and cleared at Quebec, between 5th April and 5th July. 229

Returns. 238 to 240

Milnes to Camden (No. 1). Circular of 17th May received, stating that His Lordship had been appointed to the Colonial Office. (The original circular is in series C, vol. 245, page 99). Shall omit no opportunity of communicating all matters relative to His Majesty's interests in the Province. 230

Same to same (No. 2). The grant of a lot for building a church in Montreal will be considered by the parishioners of Christ Church as a signal favour. Shall communicate to the Council the decision respecting a grant to Le Maistre. The Metropolitan Church at Quebec will be completed for consecration this month. The Bishop has asked leave to appoint a verger to be paid £30 a year by Government. His Majesty's gift of Communion plate, &c., has not yet been received. Sends dimensions of the cloth which will be necessary for the altar, pulpit and desks. 231

Enclosed. Dimensions of cloths referred to. 234

Milnes to Camden (No. 3). Recommends the appointment of John Lees to fill up the vacancy in the Council caused by the death of Pierre Panet. The promotions of de Bonne and Lees will leave a vacancy among the honorary members of Council; asks that John Richardson of Montreal be added to the number. It was intended some years ago to

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appoint him, but his private concerns caused him to decline. He come forward at his (Milnes') request, as a candidate for the Assem and was unanimously elected for Montreal. As this will bring hi Quebec, he (Milnes) is desirous of having his services in the Execu Council. The confidential services of Richardson in the interest of Province. The late elections have produced the most respectable re of members that have yet been made choice of. Page

October 4, Downing Street. Camden to Milnes (No. 6). Dispatches received and laid before King.

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(The figures after the names show the pages.)

A.—Abenakis, Indians of St. Francis, 9; Adams, Richard, 7, Allsopp, George, 11, 13, 86, 218, 220, Robert, 86, Sarah Morris, 86.
B.—Baldwin, Heth, 11, 13, 218, 219; Bondfield, John Taylor, 86.
C.—Coffin, John, 83; Coit, Wm., 84; Cuyler, Abraham, 11, 13, 21
D.—Desbarats, Peter Edward, 82.
G.—Greene, Benjamin, 84.
H.—Higgins, Dorcas, 220; Holt, Moses, 218, 220.
J.—Johnson, Sir John, 218.
Mc.—McNaughton, Duncan, 87.
M.—Mann, Gother, 82, 85; Morris, Sarah (see Allsopp).
S.—Scott, Mathew, 12, 13, 14.

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H.—Hatley, 218, 220; Hemmingford, 12, 13, 87.
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R.—Rawdon, 82; Roxton, 84.
S.—Somerset, 8; Stanhope, 7; Stanstead, 7, 8.

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Q. 95.

August 18, Quebec. Milnes to Camden (No. 4). Transmits exemplification of Acts pas printed copies of the same and Journals of the Legislative Coun Remarks on the Act for the encouragement of persons apprehend deserters and the good effect it has produced. The reasons for the p ing of the Act confirming certain marriages. The confusion the deci of the courts will cause, namely, that no marriages are valid but th solemnized by the clergy of the Established Church (the Angli Church) or by the Church of Rome. Had desired an opinion on subject from the Attorney General, which is enclosed.

(The schedule being already copied in Q. 94, page 93, is here omitt

Opinion of the Attorney General on the Act for confirming cer marriages, with a statement of the causes which led to the passing of measure.

The title of the volume of Statutes entered, being among the Arch in printed form, they are not copied. The title.

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Journals of the Legislative Council. Page 10 to 150

gust 30, Milnes to Camden (separate). Considers himself justified in appropriating the sum in the hands of the Receiver General arising from fees on land grants. The expression in the letter, namely *half fees*, has left some ambiguity, as the sum in the hands of the Receiver General, since 25th July, 1799, includes the whole of the fees, and it is possible that the half may have been otherwise appropriated. Details of the reasons why these fees had been ordered to be retained. Believed that his application for these fees would not be thought improper as he had been under the necesity of drawing £1,000 annually from his private income to supplement his salary. Should he have been mistaken in appropriating the whole of the fees, he shall replace the amount overdrawn on receiving further commands. Thanks for the prompt attention to his application for leave of absence; trusts his family may not suffer by the delay in arranging his private affairs. His present situation has been a loss to him but he shall not leave till a proper state of affairs permits. 151

Enclosed. Ryland to King, dated Quebec, 11th December, 1800. Encloses letter to Major Green, agent for Prescott, relative to the claim of the latter for the Governor's fees of office. The Lieut. Governor being authorized to receive from the revenues of the Province enough to make up his salary to £4,000, asks if the moiety of the fees should not be the property of the public, although it is provided in the 73rd Article of the Royal Instructions, no part of the Governor's perquisites are, whilst he is absent, to be paid to the Lieut. Governor. The whole of the fees accumulated since the Governor's absence amounts to £160. 155

Ryland to Green, dated Quebec, 10th November, 1800. The Lieut. Governor, in consequence of the order authorizing him to receive an amount from the Provincial revenues to bring his salary up to £4,000, finds it necessary to refer the question of fees to the Secretary of State. 156

GENERAL RETURN of Grants of Land in the Province of Lower Canada, by Patent under the Great Seal, from the 25th day of July, 1799, to the 15th day of August, 1804, both days included, with His Excellency the Governor's Fees thereon.

1799.	*Grants in the Townships of*	£	s.	d.
Novr. 27.	Buckingham	1	0	0
Decr. 30.	Dorset	26	10	0
1800.				
May 21.	Upton	12	12	0
April 29.	Hunterstown	11	10	0
May 14.	Stoneham	12	0	0
" 14.	Tewkesbury	12	0	0
" 14.	Grantham	13	10	0
Septr. 27.	Stanstead	13	17	3½
" 18.	Tewkesbury	0	12	7
April 29.	Quebec, water lot in the Lower Town of	2	6	8
Novr. 3.	Stukeley	11	16	3
Oct. 20.	Broughton	11	11	0
Novr. 6.	Hereford	11	11	0
Dec. 4.	Eaton	12	6	2
1801.				
Feby. 10.	Shefford	17	15	0
April 11.	Barnston	11	11	0
May 5.	Orford	7	2	8

1804.

1801.		*Grants in the Townships of*	£	s.	d.
July	4.	Newport	5	15	6
Augt.	31.	Stanbridge	20	17	9½
Novr.	26.	Brompton	20	7	6
Decr.	4.	Shipton	29	7	0
1802.					
Feby.	13.	Stoke	21	16	2
April	15.	Barford	13	17	2
July	15.	Windsor	25	9	0
"	17.	Simpson	21	1	4
"		Chester	5	15	6
Augt.	9.	Halifax	5	15	6
"	9.	Inverness	5	15	6
"	14.	Leeds	5	17	7
"	14.	Woolfstown	5	15	6
"	31.	Wickham	11	17	6
"	30.	Durham	10	19	10½
"	20.	Ireland	5	15	6
"	31.	Compton	13	4	7
"	31.	Sutton	19	19	0
Sept.	30.	Athabasca	5	15	6
Novr.	10.	Thetford	11	10	6
"	13.	Ely	5	15	6
"	22.	Ixworth	0	12	7
"	23.	Stoke	0	18	10
1803.					
Jany.	6.	Granby	16	6	6
"	8.	Roxton	12	6	9
"	22.	Buckingham	7	9	1
Feby.	1.	Milton	12	5	2
March	5.	Clifton	11	15	5
April	21.	Ascot	10	1	10
May	14.	Ditton	5	15	6
"	27.	Clinton	5	15	6
"	27.	Bulstrode	12	4	7
June	7.	Kingsey	5	16	10
"	21.	Hemmingford	4	5	4
"	24.	Kildare	5	14	10
July	11.	Hatley	11	14	11
"	23.	Clifton	3	10	4½
"	29.	Potton	13	15	9½
Augt.	4.	Newport	6	6	0
"	31.	Bury	5	15	6
Decr.	8.	Stanstead	0	12	7
1804.					
Jany.	25.	Tingwick	11	17	3½
"	25.	Warwick	11	19	4
March	13.	Westbury	6	2	7
"	27.	Hemmingford	0	4	2½
April	21.	Nelson	18	4	1
"	21.	Somerset	18	8	6
May	17.	Windsor	0	4	0
July	20.	Tring	11	9	11
		Errors excepted.	£694	4	5½

Quebec, Secretary's Office.

NATH. TAYLOR, *Dy. Secty.*

1804.

Milnes to Sullivan, dated Quebec, 24th February, 1804. (See Q. 94, p. 49.) In this letter the sum is given as £775, in the present copy it is stated to be £639, in the detailed statement (page 158), the actual amount is £694.4.5½. The letter is calendared in Q. 94, p. 49.

Camden to Milnes (No. 5). Sends list of Provincial Acts, to which the Privy Council see no objection. The Acts (six in number) are embodied in the letter. Page 167

Milnes to Camden (No. 5). Sends minutes of Council on State business from 14th June, and on Crown Lands from 31st May, to the 11th August for both subjects. 169

Minutes, 30th June. Consideration of memorial of J. G. Beek, of the Customs, Montreal. 170

Report of Committee on Public Accounts, laid before Council, with journal of proceedings, tables, &c. 171

Minutes of Crown Lands. 198

(For names see alphabetical list.)

Milnes to Camden (No. 6). Sends Naval Officer's returns of vessels entered and cleared at Quebec between 5th of July and 10th instant. 206

Returns. 206*a*, 206*b*, 206*c*

Milnes to Camden (private). His concern at being unable to answer on certain important points referred to him by Hobart, namely, the Church establishment in Lower Canada, the Seminary estates at Montreal and the claims by Monk for services by him as Attorney General, owing to the severe bilious fever which he contracted in the West Indies, and to which he was subject, and which are increasing in violence. He will feel sensibly if he do not receive the indulgence which his health requires. He has been unable to provide for his family, a not unimportant matter. Had hoped to obtain leave of absence this year, but as he must give up that hope, trusts that arrangements may be made that he may go in the frigate which convoys the spring fleet. It is well his health permits him to spend only a few months away from his duties, as the fatigue of the voyage would be more injurious than useful were the leave restricted. 207

Same to same (No. 7). Sends requisition for goods to supply the stores with presents for the Indians in Lower Canada, for 1805 and to form a complete supply for the same Indians for the year 1806. 211

Requisition. 212

Milnes to Camden (No. 8). In consequence of commands in Hobart's letter, had desired Monk to furnish a detailed account of his claim, charging the fees now established. The account enclosed, as well as two memorials from Monk relative to his account. It is not correct that Monk held the office of Attorney General continuously from 1779 to 1794, as he was dismissed in 1789 and not reinstated till 1792, on the death of Gray, who was Attorney General during the interval. Remarks on items in the accounts, &c. Considers it, for reasons stated, to suspend for the present the payment of Monk's account till he receives His Lordship's further commands. 213

Enclosed. Accounts furnished by Monk marked A. 1 to 15. 220 to 236

Details of account No. 3 in A. for examination of the titles of seigniories, &c. 237 to 241

Details of account marked No. 4 in A. Examination of titles of seigniories. 242 to 244

Details of account marked No. 5 in A. A similar examination. 245

Accounts marked B. 1 to 10. 246 to 298

List of papers referred to in the accounts. 299

Memorial and other documents respecting the claim for fees, dated 14th September, 1804. 300

Another memorial, dated 6th October, 1804. 303

1804.

Other documents of various dates on the same subject. Page 305 to 30

December 6, Downing Street. Camden to Milnes (No. 7). Dispatches received and laid before th King. A verger to be appointed to the Metropolitan Church, Quebec with a salary of £30. The recommendation for the appointment to th Council of Lees in room of Panet, deceased, and of Richardson to be supernumerary member, has been referred to the Privy Council. Th Provincial Acts have been referred to the Lords of Trade. Transmit copy of letter from the Duke of Kent, recommending Monk, now a Judg in Nova Scotia, to be a Judge and member of the Council in room o Dunn, who, it is understood, is about to retire. The question has bee referred to him (Milnes) for his judgment. Sends copy of letter fro the Board of Audit for vouchers necessary to the passing the Receive General's account. He (Milnes) authorized to appropriate all the fe accrued in the hands of the Receiver General. 16

LIEUT. GOV. R. MILNES—1804.

Q. 96.

1804.

January 4, Quebec. Le Maistre to Hobart. Stating his services and his insufficient salary in support of his memorial for a grant of land. 3

January 10, Inner Temple. Memorial of Osgoode, late Chief Justice, stating the steps he had take to preserve the Crown lands from being improperly granted. Pray for leave to take the oaths in England, which are necessary to admi of his benefiting by His Majesty's bounty. 3

A second memorial on the same subject, undated. 3

January 11, Biggleswade. J. Pownall to Hobart. Recommending the granting of the prayer o his nephew Sir George Pownall, who has applied by memorial to b allowed to exercise the duties of his office by deputy instead of by his personal residence, and that a new commission may issue, omitting the clause requiring personal residence. 4

Sir George Pownall's memorial. 4

February 17, London. Smith to Sullivan. Asking him to present memorial to Hobart, which was presented by General Maitland. Trusts that effect may b given to the memorial. 5

February 18, London. Bishop Douglas to Hobart. Presents memorial from Rev. Edmund Burke, Vicar General of Quebec. 5

Memorial, dated Halifax, 23rd December, 1803. (See Q. 93, p 201.) 5

Letter from Simcoe to Burke, dated Quebec, 13th September, 1796 with extract of recommendation to Dorchester that a loyal clergyman might be sent to the settlement of Rivière au Raisin, and the consequen appointment of Burke to that mission. 5

March 14, Quebec. Memorial of Lieut.-Col. Mackintosh, stating his services and praying for a grant of land in one of the Eastern Townships of Lower Canada. 5

March 26, Treasury. Sargent to Sullivan. Sends representations from Caldwell, Receiver General, respecting the obstructions he meets with from the Lieut. Gov ernor. 5

(The enclosures referred to in the letter were returned to the Treasury.

April 7, London. Paul Le Mesurier to Sullivan. Recommending Le Maistre and urgin that his case should be favourably dealt with. 6

April 12, Treasury. Sargent to same. Transmits representation from Antrobus respectin his brother's appointment as collector at Montreal, and as to his gran of the townships of Brandon and Waste lots on the river at Quebec, to b submitted to Lord Hobart. 6

Enclosed. Petition of John Antrobus, dated 23rd March, 1803.

1804.

Hannah Van Kamp to Hobart. Has a tract of land in Lower Canada, reported to be covered with the finest ship timber in the Province, which she desires to dispose of either altogether or on receiving an annuity whilst persons are employed cutting timber for Government. Page 66

Enclosed. Description of the lands in the township of Bedford, with calculation of the value of the timber, &c. 68

Letter to Adam Gordon asking him to present the preceding letter and plan to Lord Hobart. 76

Henry Caldwell to Hobart. Had remonstrated against the regulations prescribed by the Governor-in-Council respecting the collection of mutation fines, &c., as an infringement on the terms of his commission, but had submitted till the decision of his superiors was known. As it is the pleasure of the Lords of the Treasury that the disagreeable duty of suing for arrears was not to be discharged by him, but as it is in his commission trusts he may not in future be held responsible should these payments not be enforced. 77

Viscount de Vaux to Camden. Urges that the promises made by Pitt and Dundas that he should receive a tract of land in Canada equal to that granted de Puisaye may be carried out, and that the Governor be instructed to that effect. Encloses letters from Hobart to General Hunter dated 10th March and 29th April, 1804. 100

Enclosed. The letters referred to. 103, 104

Lord Spencer to Hobart. Sends letter and other documents from Ryland, which will explain his case. Mr. King or Portland might supply further information. 79

Enclosed. Ryland to Spencer, Quebec, 28th December, 1803. Stating that he had applied by memorial to Portland for an increase to his income, by two methods pointed out, but had received no answer from His Grace or from Hobart. Transmits a memorial to Hobart and prays that he (Spencer) may present it. Why he (Ryland) accepted office in Canada instead of that offered him in Jamaica. 80

Memorial by Ryland to Hobart respecting his situation and his desire for an increased income, for reasons given. 83

Extract of letter from Milnes to Portland, 5th January, 1803, in favour of Ryland. 87

A. Cuyler to Cooke, Secretary's Office. Forwards memorial, which he asks may be submitted to Camden, with letters from Lord Howe and General Cuyler. Trusts that his application for lands may be settled favourably without being referred to the Governor-in-Council in Canada, as it would meet the fate of a previous application which it was declared incompetent for the Council to grant, as the power to do so was vested in the Imperial Government. The benefit the grant would be to his family, &c. 88

Enclosed. Memorial. Cuyler to Camden. 90

Various testimonials in favour of Cuyler. 94 to 99

Board of Agriculture to Camden. Transmitting a list of premiums for the encouragement of cultivation, especially of hemp, to be forwarded to the Governors of Upper and Lower Canada, New Brunswick and Nova Scotia. 105

Enclosed. List of premiums. 106 to 124

A. Cuyler to Cooke. Points out the lands he desires as a grant, being in the townships of Dunham, Stanbridge, Farnham, Shefford and Stanstead, or else in the still ungranted lands of Hemmingford and Stanstead, &c. Shall send a detailed description of the lands asked for, to avoid mistakes. 125

Enclosed. Other documents relating to Cuyler's application for lands. 127 to 161

1804.

August 23, London. The Master of the Rolls to Cooke, to know if anything had be by Lord Hobart with respect to the memorial of LeMaistre. P

October 1, East Bourne. General Maitland to Sullivan (?) Enclosing memorial fr Smith, whom he recommends. Has had long letters from A Thinks there is slackness in trying to gain a stronger interest country than is at present the case.

October 17, London. Commissioners for auditing the Public Accounts to Canada attention to the want of proper vouchers for the accounts of C Receiver General and pointing out how the defect may be remedi

October 22, Castle Hill Lodge. Duke of Kent to Camden. Recommending Monk, brother Chief Justice of Montreal, and now a Judge in Nova Scotia, to Dunn as Judge and member of the Executive Council.

October 23, Montreal. Memorial of James Monk, for payment of the fees to which sidered himself to be entitled.

October 24, Quebec. Bishop (Anglican) of Quebec to Camden. Desires to be r from the painful and improper situation he holds in Canada, in he has resided for eleven years without accomplishing any of the for which he was sent out, except the building of a Cathedral without endowment or establishment. Refers on this point to of 6th June, 1803, of which a copy is annexed. Every day since the increasing interest of the Roman Catholic Church and the d resisting the establishment of the Church of England. Denies is influenced by professional or personal enmity, being actuated by a sense of duty. How the spirit of Romish intolerance affe whole character of the people and affects their loyalty, as appe the proceedings of the Assembly during the last Session. The la dering irregular marriages valid and for the relief of Protestant di professing the religion of the Church of Scotland. The only dissen passage of these bills was from a leading Canadian member, who admitting that the bills were expedient and reasonable "yet found obliged *par sa conscience* "(in other words by the representation "Priest) *et comme Catholique* to refuse his assent to them." The attempted to be made in the bills by the Assembly. Copies of the they stood and as amended are forwarded. Comments on the ma which the Ministers of the Church of Scotland were refused the of solemnizing marriage. The obstacles thrown in the way of parishes by the Canadian members of the Executive Council. "T "the Catholics who from His Majesty's unequalled liberalit "received everything for their Church, resist, as far as in them "claims to anything for his own." Remarks on the title assu the Superintendent of the Canadian clergy of Monseigneur, l'illust et reverendissime the Bishop of Quebec, the publication of books use of the Diocese of Quebec, the wearing of purple robes, &c., a avoidance, either in writing or conversation of the title to hi Anglican Bishop) of Bishop of Quebec. Calls attention to the c of the Host, &c., in which they are perfectly justified if they do not any stipulation of His Majesty's Ministers. Believes that th assumption of titles, &c., form a contravention of His Majesty's tions, the titles not being recognized by the Governors. Compa situation and powers of the Superintendent of the Canadian clerg those of the Bishop (Anglican) of Quebec. Government ought to possession of the property to which it is entitled, that of the So St. Sulpice at Montreal, now enjoyed by French emigrants. Wo thought expedient to make a compromise for the resumption properties by confirming the Bishop and coadjutor in their s titles and Episcopal jurisdiction? To give them seats in the and pensions from the Crown? On the other hand would such p not be a violation of the constitution and destructive of the bes

1804.

for the improvement of the country? (This view is argued at some length). Discusses the question of his own public position with no private benefit to balance the public disadvantages, &c. Two appendices, one (D.) showing the jurisdiction of the Roman Catholic Bishop of Quebec to extend to Upper Canada, Nova Scotia, New Brunswick, Prince Edward Island, &c.; the other (E.) that the Governor derives no revenue from granting licenses. Page 171 to 187

Enclosed. Letter from the Bishop to the Lieut. Governor, dated Sans Bruit, 6th June, 1803, on the same subject as the preceding letter. 188

Document in support of his statements.

A.—Comparison between the Protestant and Roman Catholic population in the new townships. 201

B.—Extracts from Quebec *Gazette* to show that the title of Bishop was used by the Roman Catholic Bishop himself. 201

C.—Copy of title of the Epistles, &c., with the official approbation of the Bishop. 202

D.—Books of devotion with a similar approbation. 203

Extract from the minutes of the Executive Council respecting the establishment of the Church of England in Canada, 24th May, 1800. 204

Extract from the minutes of 14th August, 1800, on the same subject. 206

Extract from minutes respecting the erection of parishes, 11th November, 1801, and 27th June, 1803. 208

Copy of Act to confirm certain marriages therein mentioned and to make temporary provision for the celebration of marriage in certain parts of this Province (Lower Canada). 209

Copy of Act to confirm certain marriages. 213

Copy of Act for the relief of Protestant dissenters professing the religion of the established Church of Scotland. 215

Copy of Act to remove all doubts touching the establishment of the religion of the Church of Scotland in the Province of Lower Canada. 219

Leave of absence to the Anglican Bishop of Quebec by Milnes, 23rd December, 1803. 221

ovember 15, Milnes to Camden (No. 9). Sends memorial on behalf of John Queen, ebec. an apprentice, impressed and carried on board H.M.S. "Orpheus," to have him restored to his master. The injury the practice of impressment does the trade of the country. The danger of the navigation of the St. Lawrence, which is upwards of 400 miles from its mouth to Qeubec, requires a certain number of able seamen on board the merchant ships. If the frigate is allowed by a hot press to take off many of the seamen before the merchant ships sail, they are obliged to go with too few hands, increasing the hazard of the voyage, at the same time that the lateness of the season adds to the difficulty of navigation; other reasons against the practice of impressment. The additional ill effects of such a system in a conquered country, as respects the feelings towards Government. A son of Mr. Justice Panet was pressed in London two years ago, and is now serving as a common seaman in the Mediterranean fleet. Asks for his Lordship's interference in this case. 2

Enclosed. Memorial of Frederic Diganardon for the return of his apprentice, John Queen, who had been impressed and carried on board H.M.S. "Orpheus." 5

Copy of the boy, John Queen's indenture, as evidence of his being an apprentice as stated in the memorial. 7

(For answer of the Admiralty respecting Queen and Panet, see Q. 99, p. 68.)

1804.

November 19, Quebec. Milnes to Camden (No. 10). Sends Journals of the House of Assembly. Page 10

(The printed volume is among the Archives. The Journals have not, therefore, been copied.)

November 28, Quebec. Same to same No. 11). Dispatches received. The originals of the three first have not come to hand and none marked No. 3 has been received. The dispatches have been a month later than usual of reaching and were not in time to enable him to leave by the Fall fleet, had he so desired. Will inquire of the Deputy Postmaster General respecting the forwarding of public dispatches by private channels. His satisfaction that his steps to obtain secret intelligence of the designs of the King's enemies have been approved of. Is in the highest degree obliged for leave of absence, which he will not take advantage of this winter unless his state of health should render it necessary, as he feels the importance of there being no change of administration, so near the meeting of a new House of Assembly. Sends copy of letter applying for longer leave of absence than what appears to have been intended. 11

Enclosed. Milnes to Camden, Quebec, 26th October, 1804. 14

(For calendar see Q. 95, p. 207.)

December 1, Quebec. Milnes to Camden No. 12). Sends copy of letter written to the Deputy Postmaster General, and of his answer, relative to the subject of the circular dispatch of 2nd August last, namely, the sending official dispatches by private channels. 19

(The original circular is in Series C, Vol. 283, page 196.)

Enclosed. Milnes to Heriot, Quebec, 30th November, 1804, desiring him to report all instances in which official dispatches had been sent by private channels. 20

Heriot to Milnes, same date. That his official report, on which it was probable the circular was founded, related to Nova Scotia, New Brunswick, Upper Canada and the Military Department of Lower Canada only. No dispatches of the Lieut. Governor of Lower Canada had been sent otherwise than by post. 22

December 5, Quebec. Milnes to Camden (secret). Sends copy of letter from Merry and of answer respecting information given by a person calling himself Matthew Wing. Had desired to obtain more certain information on the subject and from what he had ascertained from Rouse there does not appear to be the smallest ground for giving credit to Wing's statement. 23

Enclosed. Ant. Merry to Milnes, Philadelphia, 27th September 1804. Sends report by Matthew Wing of a projected rising in Lower Canada, with details of the arrangement for obtaining arms, &c. 24

Milnes to Merry, Quebec, 15th October, 1804. Will investigate Wing's statements. In justice to the Canadians he must say that the country was never more tranquil and he believes they would never be induced to part with their cattle and horses for the purposes mentioned by Wing. There is not only no remarkable exportation of horses this year, but on the contrary it is small as compared with other years. 27

December 16, London. Memorial by W. Smith, for a salary to be attached to the office of Master in Chancery to which he has been appointed. 48

December 17, London. Treasury (W. Sturges-Bourne) to Edward Cooke. Transmits letters from Milnes, dated Quebec, 18th October, 1803, with the proposed Indian establishment for 1805 and with requisition for presents for the Indians, for the opinion of Lord Camden. 232

December 19, London. Order-in-Council appointing John Lees to the Executive Council of Lower Canada. 223

Order-in-Council of same date approving of John Richardson being appointed an honorary member of the Executive Council. 224

December 26, Quebec. Milnes to Camden (No. 13). Respecting leave of absence to the Anglican Bishop of Quebec. The memorial of Cuyler transmitted in

duplicate of dispatch No. 3, has been referred to Council, but cannot be considered till the Chief Justice is well enough to take the chair of the Committee. Page 29

Camden to Milnes (No. 8). Monk's claims as Attorney General should be paid for the public service according to the table of fees now in use, but not for proceedings for the private advantage of individuals of which the business of passing Acts of Fealty and Homage should be included. With the deduction on this account Monk's claim to be discharged. Has sent dispatch relative to impressment and to Queen and Panet to the Admiralty; encloses the answer. John Lees to succeed Pierre Panet in the Council and John Richardson to be appointed an honorary member. To take steps to renew to Mrs. Lynd the lease of a farm called Belleville held by her late husband, David Lynd, unless there should be any material objection. Approves of his resolution to remain in the Province until after the meeting of the Legislature. 17

Lieut. Gov. Milnes—1805.

Q. 97.

Milnes to Camden (No. 14). Sends minutes of Council on State business and concerning Crown lands both between 12th August and 31st December. Page 2

Minutes, 26th October. Report on the bridge over the river Jacques Cartier. 3

Minutes of 26th October on Crown lands. 5

(For names see alphabetical list.)

Milnes to Camden (secret). Sends copies of letters. The second letter from Merry respecting the disturbances alleged by Wing to be in preparation shows that he (Milnes) was correct in believing Wing's account to be a fabrication. In consequence, however, if the arrival of a new Minister, Thuriot, at Washington, had thought it proper that Rouse should be sent there to ascertain if any plan was in contemplation by Thuriot for exciting trouble in the Provinces, so that proper measures may be concerted to meet such a plan. 8

Enclosed. Merry to Milnes, Philadelphia, 24th November, 1804. That no unusual trade has been carried on from Canada in the importation of horses and cattle, and that no purchases of arms have been made at Springfield. 10

Ryland to Richardson, 24th December, 1804. That he is to send Rouse to Washington to ascertain if Thuriot, the new French Minister, has any designs against the Provinces. 12

Milnes to Camden (separate). The lot in Montreal asked for by Cuyler, he had omitted to state, is the one appropriated in dispatch No. 1 of 7th June, as the site for a Protestant Church. Had informed Cuyler of this fact. Has referred to the Council the question of granting to Cuyler a lot in lieu of that already appropriated. The state of the Chief Justice's health may cause delay; sends copy of correspondence with Cuyler on the subject. Ryland's gratitude for the King's bounty. 13

Enclosed. Ryland to A. Cuyler, Quebec, 29th November, 1804. Desires him to forward the dispatches he had brought from Camden. The grounds in Montreal for which he states he had received an order has already been appropriated as a site for a Protestant Church. 15

Cuyler to Ryland, Quebec, 5th January, 1805. Prays for a final settlement respecting the land in Montreal of which he had obtained a grant. 16

1805.

Ryland to Cuyler, Quebec, 5th January, 1805. His letter of this date received respecting the lot of land granted to him in Montreal. The Lieut. Governor is sorry for his waiting at Quebec for the decision of the Council, but he desires to have the Chief Justice present at the meeting. Refers to previous letter as to the question of the land in Montreal, for which he considers he holds a grant. But for his keeping back the dispatches from Camden, there would have been no delay in obtaining a decision respecting the land. Page 19

January 28, Quebec. Milnes to Camden (No. 15). Sends proceedings of Council and report concerning the office of the Surveyor General. The Surveyor General forms the whole establishment being allowed to employ a draughtsman and clerk, for whom and other contingencies he is allowed to charge. In consequence of the importance of the duties, the Council has recommended the appointment of two clerks and an office servant to be appointed by the person administering the Government but under the orders of the Surveyor General, both to be able to act as draughtsmen, one to receive ten shillings a day and the other £150 a year. The establishment in Upper Canada is similar to that now proposed for Lower Canada. 20

Enclosed. The proceedings and report referred to. 22

January 28, Quebec. Milnes to Camden (No. 16). Sends copy of speech at the opening of the Legislature, of the addresses and the answers. 27

Enclosed. Speech. 28

Address of the Legislative Council. 31

Answer. 33

Address of the Assembly. 33

Answer. 36

February 14, Quebec. Milnes to Camden (No. 17). The state of the Chief Justice's health prevents the Committee from completing the report on Cuyler's claims. A meeting was held at the house of the Chief Justice at which a report (enclosed) was drawn up. Had since ordered a patent to issue for 3,600 acres in the township of Farnham, granted to Cuyler's wife and two daughters in addition to an equal quantity granted to himself and others of his family in the same township in 1798. Had informed Cuyler of the purport of the report, so that he might be saved from the inconvenience of remaining in Quebec. It is desirable that the Chief Justice should assist in preparing the final report, but in case he does not soon gain strength has urged the Council to complete the report without him. 39

Enclosed. Proceedings and report of the Committee of Council on the claims of Abraham Cuyler. 41

February 16, Downing Street. Camden to Milnes (No. 9). Transmits four Acts of the Provincial Legislature, passed in 1803, to which there appears to be no objection. 37

February 18, Quebec. Milnes to Camden (separate). Reports the death of Le Maistre, Governor of Gaspé, &c. The state of his health for some years had prevented him from going to Gaspé, and the public concerns there have suffered from the want of an acknowledged agent of Government residing there. The importance of having a suitable successor; recommends Alexander Forbes, a retired captain in the Guards, who is now in England, and to whom he will write that he may wait on His Lordship. 43

Enclosed. Copy of Le Maistre's commission as Lieutenant Governor of Gaspé, &c. 45

March 26, Quebec. Same to same (No. 19). Had delayed sending return of the incomes of the Protestant Church livings, having expected from the Superintendent of the Romish Church a return of the Roman Catholic livings, with proposals for vesting the patronage of them in the Crown, conformably to the intent of His Majesty's instructions, which in this respect have

not been carried out by any of the Governors. Nor had he been able to enter into the subject of the Seminary estates, which he flattered himself he should be able to do before leaving Canada. Agrees with the Bishop that the salaries of the established clergy are inadequate, particularly considering the increased cost of everything, being a third more than when the salaries were fixed. The generality of the Roman Catholic curates have twice, many of them four times the income of the Protestant clergy, which has a bad effect. There is good ground to hope that the Church Reserves will become productive, but in the meantime recommends that a sum in addition to that now allowed, shall be appropriated for the support of the established Church in Lower Canada.

Page 47

Return of the incomes of the church livings in Lower Canada, with remarks. 50

Milnes to Camden (No. 21). Sends copy of speech on the prorogation of the Legislature; 17 bills passed, some of considerable importance. Shall transmit exemplifications of them with remarks. The business of the Session was carried on with great zeal and attention, fully justifying his opinion previously expressed, 56

Copy of the speech proroguing the Legislature. 57

Milnes to Camden (No. 22). Sends schedule of Acts passed last Session, with copy of the Act to provide for the erection of gaols in the districts of Quebec and Montreal. The necessity for these, owing to the insufficiency of the present houses of correction. Documents relating to this subject sent. The goal at Montreal was partly destroyed by fire in 1803, and although repaired, the walls were insecure. How the bill passed the Legislature; discussions on the ways and means of meeting the cost of building. Petition that he should reserve the bill on the ground that it was unconstitutional. Sends copy of petition and of the Attorney General's report thereon, with his recommendation that the bill should pass. Discusses in detail the objections to the different methods proposed for raising the sums necessary for defraying the cost of the buildings. 59

Enclosed. Schedule of enclosures. 67

Schedule of Acts passed. 69

Copy of the Act for erecting a common gaol in each of the districts of Quebec and Montreal. 73

Presentment of the Grand Jury of Quebec, 17th December, 1802, on the state of the gaol for the district. 88

The same of the Grand Jurors of Montreal respecting the gaol, dated 10th September, 1796. 93

Chief Justice Monk to Ryland, Montreal, 10th March, 1804. Forwards presentment of the Grand Jury of Montreal on the state of the gaol. 95

Presentment of same date. 96

Ryland to Sheriff Gray, Quebec, 15th March, 1804, for explanation on the subject of the Grand Jury's statement relative to the gaol. 98

Sheriff Gray to Ryland, Montreal, 19th March, 1804. Explanation as to the state of the gaol. 99

Petition of the Merchants of Quebec (undated), stating objections to the principle of the bill for the erection of gaols and praying that it be reserved. 101

Report of Attorney General Sewell on the Act for erecting gaols, &c. 108

Milnes to Camden (No. 23). Owing to his state of health, the Chief Justice has obtained leave of absence. Hopes that he may return before he (Milnes) embarks for England. Has had to issue commissions of Oyer and Terminer, but this has been attended with no inconvenience. 112

1805.

April 23, Quebec. Milnes to Camden (No. 24). Sends minutes of Council respec Waste lands of the Crown. P

Enclosed. Minutes, 8th January. Proceedings of the Comm Crown Lands.

(For names see alphabetical list.)

April 25, Quebec. Milnes to Camden (secret). The expected death of Chief Elmsley; submits considerations touching his successor. The ment he had made of a Committee of Council to examine, b left the country, and report on all matters under referenc had no word from the confidential person sent to Washingto engaged a fast sailing schooner, his instructions to the Superin of Pilots, acting as master he hopes may be approved of. There 200 of the British Militia completely clothed at their own expe regularly exercise. An equal number of Canadian Militia re practice the use of firearms but are not yet clothed.

Enclosed. Minute of Council, 18th February, on the appoint Committee to examine and report on all matters of reference be Council.

Instructions to the Superintendent of Pilots, for dealing w pilots, assisting vessels in distress, preventing pilots from g board the ships of the enemy should any arrive.

April 25, Quebec. Milnes to Camden (No. 25). Dispatches received; answers s sent by the next opportunity.

May 2, Downing Street. Camden to Milnes (No. 10). Dispatches received and laid be King. The future establishment of the Surveyor General' approved of.

May 13, Quebec. Milnes to Camden (secret). Death of Chief Justice Elmsley, 29th of April, at the age of 42, leaving a large family. Discu qualifications of those in Canada likely to apply for the positio unfitness of Monk for reasons given. Does not think Allcock c the office with proper dignity. The qualifications required in Justice. The only one here whom he could recommend is the Attorney General Sewell, but were he appointed Chief Justice i be difficult to fill his present office.

Enclosed. Milnes to Hobart, dated 17th June, 1802, (abstract ing out the unfitness of Monk to be Speaker of the Leg Council.

May 21, Quebec. Milnes to Camden (secret). Report from Richardson of the i tion obtained by Rouse in Washington. The French have no design to attack Canada and it 'is not their intention to risk a the St. Lawrence further than to land troops and go to se immediately. Rouse's information corroborated; to keep this of information open has sent a warrant to pay him £100 curr addition to the sum already paid him.

Enclosed. Richardson to Ryland, Montreal, 9th May, 1805. Rouse's report of what he had discovered in Washington. Consid as to the credit to be given to his statements.

June 5, Quebec. Milnes to Camden. Sends certified copy of the rates of excha current prices at Quebec for April last.

Enclosed. Prices current at Quebec for April, 1805.

June 11, Quebec. Milnes to Camden (No. 26). Sends copies of the Journals, A Chapters six, nine and twelve, as they relate to the improve inland navigation are of very considerable importance, especially for the regulation of pilots, by which a Trinity House is to be The reasons for this creation. The Act to establish a turnpike Montreal and Lachine, being the first of the kind is of import setting an example to others. Some additional remarks on erecting a gaol in the district of Quebec and Montreal. The

authorize Thomas Porteous to build a bridge over a branch of the River Ottawa will afford means of facilitating intercourse in a part of the Province where, from its populousness and situation, an easy communication is of the most importance. A review of the whole of the Acts passed last session will the show gradual improvements in the Colony.

Page 146

Milnes to Camden. Transmits certified copy of rates of exchange and prices current for May last. 150

Enclosed. Prices current. 151

Milnes to Camden (No. 27). Dispatches received; previous dispatches acknowledged. The difficulty of obtaining the prices current required by the Duke of Portland. The merchant who certified those sent cannot vouch for their correctness. Monk, recommended by the Duke of Kent, and now a judge in Nova Scotia, was originally a merchant in Halifax, failed and settled at a country village (Windsor), where he was allowed to practice as an attorney, was Major of the Nova Scotia regiment and on resigning was raised to the Bench. He is said to be a man of character. But there is no vacancy at pre-ent, Dunn not having resigned his office of puisné judge. The peculiar nature of the Civil Laws renders the choice of a judge delicate and important. Is happy to find he was correct in his construction of His Lordship's letter respecting fees. Shall issue a warrant for the payment of Monk's fees on receiving a report on the audit of his accounts. Asks that consideration of Mrs. Lynd's petition for a renewal of her lease on the Jesuit estates be deferred. 154

Same to same. Sends copy of letter from Sir G. Pownall requesting leave of absence. As he had appointed a sufficient deputy, leave could not be refused. Introduces and recommends him. 157

Enclosed. Pownall to Milnes, Quebec, 1st July. His uncle having left him heir to his estates, asks for leave to look after affairs. 158

Milnes to Camden (No. 28). Refers to dispatch of 4th January, 1801, from the Duke of Portland, to understand the purport of this letter. Has made no material progress with the Catholic clergy more than preparing the mind of the Roman Catholic Bishop for the condition on which a demand for an increase to his allowance may be complied with, namely, that he shall conform to the 49th Article of His Majesty's Instructions, requiring that no person shall have the cure of souls without a licence from the Governor, not enforced, but which the Duke of Portland had directed an endeavour should be made to effect by every prudent means. The Coadjutor in absence of the Bishop had agreed to a discussion and it was arranged that a meeting should take place between him and the Attorney General (Sewell). Encloses report of the conversation. The matter rests till the arrival of the Roman Catholic Bishop, who he understands comes down to bring the matter to a termination, if possible. Has no doubt both Bishop and Coadjutor would accept the terms offered but for the fear of public clamour. The religious bodies are in possession of lands equal to one-fourth of all the seigniories granted prior to the Conquest, and all the patronage of the Roman Catholic livings has been in the uncontrolled possession of the Bishop: the question is, therefore, of the first magnitude; its great importance for reasons given. Sends documents relating to the Seminary estates at Montreal. The Superior of the Seminary, M. Roux, states the income to be £3,700 currency; from Roux's character cannot doubt his statement, but the revenues are generally supposed to be much larger. Sends report on the estates drawn up in 1789 and one by the present Attorney General. The first was occasioned by a memorial by the ecclesiastics to Dorchester in 1788; it is so full as to need no further observations and its conclusion is that the estates belong to and are held

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in trust for His Majesty, an opinion concurred in by the Attorney General for reasons given, as he had been asked to enter fully into the subject. How possession should be taken with the greatest possible leniency of the 22 persons named in the statement by M. Roux, 15 are French emigrant priests and not one of the remaining 7 belonged to the Seminary at the time of the Conquest. No new members should be admitted to the Seminary and means should afterwards be fixed upon for examining into the establishment and for ascertaining the revenues, the utility of the Seminary for the education of youth, the number of priests required for that establishment, the number necessary for the parochial service of Montreal and vicinity and for the Mission at the Lake of Two Mountains, all which must be provided for. Before taking the property into the hands of Government an amicable arrangement should be made with the priests whose services are no longer wanted, either to withdraw on pensions for life either from the revenues of the estates or by providing them with livings as these fall vacant. Suggests that of the remaining incomes part might be used to pay salaries to the Bishop and Coadjuter should they agree to the proposal in the first part of the letter and the surplus appropriated to the establishment of means of education in the Province, now inadequate, which would remove the necessity of sending children to a distance, thus preventing the spread of pernicious principles and the "discontent that might otherwise arise from the withdrawing the estates out of the hands of those "persons who have now insensibly become possessed of them, and whose "influence, from the extent of the rights they have enjoyed cannot fail "to be considerable; though they are certainly weakened by the circumstances of their being vested chiefly in the hands of emigrants and "not natives of Canada." Urges the caution that should be used for carrying his proposals into effect, as otherwise injury instead of benefit might result. Transmits proceedings of the Commissioners for the Jesuit estates from the 26th of May, 1800 to the 14th May, 1805, and the last report showing from July, 1800 to the present time, a net revenue of £5,221 15s. currency or £4,699 11s. 6d. sterling. To facilitate the investigation has sent extracts from his communications on these estates, connected as it is with education, the information being scattered through so many dispatches. The great importance of an establishment for education, the necessity for which is daily augmented, as the most promising youth must either remain without education or be sent for it to the United States, few having the means of sending their sons to England. The prejudicial effects; the Canadians feel it the more, as before the Conquest the Jesuit College afforded ample means of education, and the young men were besides led to enter the army, to do which they have not now the same inducement, nor have they the means to purchase commissions. Sends extracts of previous correspondence and the report of the Executive Council. Reports the obstacles to carry out orders for the establishment of seminaries, owing to the difficulty of selling lands even at the low rate at which they were exposed to auction. Sends copy of address and of his answer, in March, 1800, on the subject of the claims of the Province on the Jesuit estates to be applied to the purposes of education. This should be attended to, so that a pretext for opposing Government should be taken out of the hands of those who desire to do so. On the death of Father Cayot, he (Milnes) had taken possession of the Jesuit estates, and entrusted the management to an unpaid commission, which receives the rent and ascertains the value of the lands but has made no concessions nor granted leases. If the revenues of the estates are to be allotted to education, submits whether it might not be advisable to invest them in

a corporation subject to the control of the person administering the Government of the Province.
Enclosed. Portland to Milnes (extract), Whitehall, 6th January, 1801, respecting an increased allowance to the Roman Catholic Bishop of Quebec. Page 174
Report, 26th April, of first conversation between Bishop Plessis and Attorney General Sewell referred to in letter (No. 28). 175
Report of second conversation between the same. 188
Return by M. Roux, Superior of the Seminary of Montreal, since 1795. Return dated 19th February, 1800. 194
Observations and remarks, dated 21st March, 1789, by the Attorney and Solicitor General, respecting the St. Sulpicians at Montreal, with extracts of deeds, concessions, &c. 204
Report, 2nd July, 1804, on the preceding paper, by Attorney General Sewell. 245
Copy of the conveyance from the Seminary of St. Sulpice of Paris, to the Seminary of Montreal of the 29th April, 1764, referred to in Attorney General's report of 2nd July, 1804. 264
Proceedings of the Commissioners for the management and improvement of the Jesuit estates, from 26th May, 1803, to 14th May, 1805. 271
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Extract of dispatch, Milnes to Portland, 31st January, 1800, respecting the Jesuit estates. 307
Extract, Portland to Milnes, 12th July, 1800, respecting the establishment of schools and seminaries. 309
Other documents on the Jesuit estates and education. 311 to 323

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S.—St. Hyacinthe, 119.

LIEUT. GOV. MILNES, ACTING GOV. T. DUNN—1805.

Q. 98.

Milnes to Camden. Sends certified copy of rates of exchange and prices current. Page 1
Enclosed. Prices current at Quebec for June, 1805. 2
Milnes to Camden (No. 29, secret). Has the satisfaction previous to leaving to enclose the petition of M. Denaut, which he flatters himself will give an opening to the final arrangements with regard to the Roman

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Catholic clergy, which he has had in view for several years. Has found M. Denaut uniformly candid and open and truly attached to the Government. It will be observed he signs as Bishop of the Roman Catholic Church and prays that the title of "Bishop of the Roman Catholic Church of Quebec" may be acknowledged, which is not done in the King's instructions, where he is called "Superintendent." It has always, however, been used in courtesy, except in official letters. He and his predecessors have always been addressed as "Monseigneur," and as Mr. Denaut has been in the habit of signing as Bishop he did not insist in the petition on a different signature, being unwilling to hurt the feelings of a man of his advanced age and who has conducted himself with so much propriety. From his departure being fixed for the first of the month cannot discuss other affairs. Page 5

Enclosed. Petition (in French), "Requête de Pierre Denaut, Evêque "de l'Eglise Catholique Romaine." That the Bishopric of Quebec was erected in 1664, and has been successively filled by Bishops, the sixth of whom died in 1760, at the time of the Conquest. That since then the Catholics have continued to have Bishops who, after taking the oath of allegiance have always exercised their functions with the permission of His Majesty and under the protection of the different Governors, the petitioner being the fourth since Canada happily passed under the Crown of Great Britain. That the extension of the Province and increase of the population requires more than ever that the Bishops be clothed with such rights and dignity as His Majesty may think suitable, to lead and restrain the clergy and people and to imprint more strongly on their minds the principles of attachment and loyalty to their Sovereign and obedience to the laws. That yet neither the petitioner nor his predecessors since the Conquest, nor the parish priests (*curés des paroisses*) have had from His Majesty the authorization which could prevent doubts in the courts of justice respecting their civil functions. Prays therefore that he and his successors may be civilly recognized as Bishop of the Roman Catholic Church of Quebec and enjoy such temporal prerogatives, rights and emoluments as His Majesty may graciously attach to the dignity.

July 30, Quebec. Milnes to Camden (No. 30). Sends copy of minutes of the Executive Council on State business from 16th March to 24th July, and on Crown lands from 24th April to 13th instant. The recommendation of the Council to send a commissioner and land surveyor to Bay of Chaleurs to settle disputes about lands. Thinks that whoever is appointed Lieut. Governor of Gaspé should first examine into the subject; has not, therefore, given effect to the recommendation. 11

Enclosed. Minutes, 26th April. Reports of Committee 3, 4, 5, 6 and 7 concurred in. 12

Report on Beek's application for an increase of salary. 14

Report on petition of Jean Bouthillier and Louise Perthuis on the pension of Madame Perthuis, exonerating them from any charge of attempting to defraud Government in receiving the pension after the death of Madame Perthuis. 1

Reports on memorial from Sir George Pownall for stationery, parchment, &c. 1

Minutes, 13th March. Petition for Crown and Church Reserves. 1

(For names see alphabetical list.)

Minutes, 29th March. Seventh report of a special committee on the petition of the Sheriff for allowance at an execution. 2

Minutes, 1st April. Petition of the inhabitants of sundry township 2

(For names see alphabetical list.)

Report on petition of Robert Jones, M.D., Montreal. 2

Notice respecting reserved lots. 2

Minutes, 22nd May. Report respecting the lease of the St. Maurice Forges, with details. Page 30, 32

Order to issue a proclamation that Spain has declared war. Proclamation given in full. 41

Minutes, 13th July. Journal and report of a Committee of the Whole on the complaint against Sheriff Blackstone. The charges, substance of replies and finding given in full. 44 to 66

Report on the claim of Jonathan Hart for remuneration for services. He was awarded £50 in full. 67

Report on petition of James Irvine to be confirmed in his encroachments on the beach behind his premises in Peter Street, Quebec, decision suspended till the whole question of an encroachment comes up. 68

Report on the petition of Burns & Woolsey that their commission on the sale of the King's posts, &c., be fixed; that the commission be fixed according to the practice in England in leasing His Majesty's property or that the sum of £100 currency be paid if Burns & Woolsey accept this as a final settlement, and that in future the commission be fixed before the sale. 69

Consideration of the claim of Dr. Jones renewed. 71

Proposed advertisement respecting the Forges at St. Maurice. 72

Conditions of sale specified. 74

Minutes, 24th July. Appointment of John Lees as Executive Councillor and Judge of the Court of Appeals; he takes the oaths and his seat. 77

The Lieutenant Governor informs the Council of his having obtained leave of absence, and that Dunn, the oldest Councillor should administer in his stead. Proclamation ordered accordingly. 78 to 86

Minutes on land business, 26th April. The 1st, 2nd, 3rd and 4th reports presented.

First report. 88

Second report. 91

Third report. 95

Fourth report. 101

(For names see alphabetical list.)

Remarks on the reports. 102

Minutes, 13th July. Report on the petition of Benjamin Reynolds. 103

Fifth report. 105

Milnes to Camden (No. 31). Encloses report of Committee on objects of importance to the new settlements on the grants made since he assumed the administration. The report has arisen from a memorial from the inhabitants of sixteen newly settled townships, containing upwards of 5,000 souls, chiefly from the United States, Protestants and holding their land under a different tenure from that in the time of the French Government. The first clause of the report, that relating to the division of the townships into counties for representative purposes is of the highest importance. The caution that should be used in bringing forward such a measure. Since the memorial was presented the militia has been organized and placed under the command of Sir John Johnson; Magistrates are also appointed. Encloses report of the Attorney General on the memorial. The reports contain the following subjects to be considered at a future time. 1. The formation of new counties, with the privilege of returning members to represent them in the House of Assembly; 2. The establishment of accurate boundaries between the district of Three Rivers and the districts of Quebec and Montreal; 3. The establishment of Circuit Courts for the trial of causes not exceeding Twenty pounds; 4. The modification of the existing Road Act, so as to meet the circumstances of the new townships; 5. The establishment of offices in each county for the enregistration of deeds of sale, &c.; 6. The

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establishment of a Custom House and port of enty on the line betwee the Province and the United States in addition to the Custom House a St. John's; 7. The establishment of a Protestant clergy in the town ships; 8. The appointment of magistrates and the organization of th militia as their population shall require. Page 10

Report of Committee, 26th July, referred to in preceding letter. 11

Opinion of the Attorney General Sewell, 10th May. 12

August 1, Quebec. Milnes to Camden (No. 32). Has received from the Deputy Commissary General an account of fuel and candles issued to Government House at Quebec. Sends copy of the letter containing the account, and the answer. Sends also letter to Secretary King and extract from dispatch to Portland that the allowance for Chateau should be continued. Since October, 1830, the exponse of fuel, &c has been defrayed out of the Civil revenues, and although no less than thirty fireplaces were constantly supplied through the winter yet the consumption has been one-third less during the last six years than under Dorchester and Prescott's administrations. Requests that the issue from the military stores ordered by Hunter be sanctioned, or that payment be directed to be made out of the revenues of the Province. 13

Enclosed. Craigie to Milnes, with account for fuel &c., 26th July. 136, 13

Hunter to Craigie, 24th July, desiring him to send account for fuel, &c., to Milnes. 13

Answer by Ryland (Secretary) to Craigie respecting fuel. 13

Extract, Ryland to King, 31st January, 1800. 14

Extract, Milnes to Portland, 30th October, 1800. 14

August 1, Quebec. Milnes to Camden (No. 33). Sends extract of dispatch from Hobart of 9th September, 1803, authorizing him to receive arms necessary for the militia from His Majesty's magazines at Quebec, and copies of letters on the same subject and how the arms were received. Four companies of English militia formed, with the arms thus furnished, composed of the finest young men of the English battalion of Quebec, most of whom have clothed themselves and by constant attention to drill are equal in appearance to regulars; of these there are 275 privates, independent of the Canadian companies, who came forward on the same principle, except that few of the privates are equal to clothing themselves. How the companies are commanded, small armouries established for the reception of arms, &c., to prevent unpleasant effects in leaving them in the hands of individuals. The obstacle to obtaining additional arms, and General Hunter's conditions respecting those already issued, from which he concludes that the General does not intend to pay any further regard to Lord Hobart's dispatch of 9th September, 1803, that arms are to be drawn as required for the militia service. Is at a loss to understand the cause of the change in General Hunter's sentiments. Is under the unpleasant necessity of submitting the case for further instructions. The awkward predicament in which he is placed. Should the arms be withdrawn now in possession of the military, it would cause such disgust as could not afterwards be done away, and put an end to the spirit it has been his constant care to encourage, as it cannot but give strength to Government, especially at a time when the garrison of Quebec is left with so few regular troops. 14

Enclosed. Extract, Hobart to Milnes, 9th September, 1803, authorizing him to receive arms for the militia from the King's magazines. 15

Milnes to Hunter, 11th November, 1803, forwarding the preceding extract. 15

Hunter to Milnes, 9th December. That he had instructed Mann to issue the arms. 15

Ryland to Brock, 11th April, 1805, for 80 stand of arms for the militia. Page 156

Brock to Milnes, same date. That he has no authority to issue the arms. Will transmit the application to General Hunter. 157

Other correspondence in July on the subject. 158 to 166

Milnes to Camden (No. 34). Sends two requisitions for stationery. 167

Enclosed. Requisition for stationery for the Secretary's office. 168

Requisition for stationery for the Indian department. 170

Milnes to Camden (No. 35). Sends requisition for stores to supply presents for the Indians. 171

Enclosed. Requisition. 172

Milnes to Camden (No. 36). He will embark to-morrow in H.M.S. "Uranie." Requests that the usual allowance for such may be made to the Commander, Captain Herbert. 173

Same to same (No. 37). Sends Journals of Legislative Council and exemplifications of the Acts passed at the last session. 174

Same to same. Had omitted to say in his letter which stated that he was about to embark, that the administration of the Government would devolve upon Thomas Dunn. His character. 175

Same to same. Sends copy of letter addressed to Heriot, Deputy Postmaster General and of answer. Thinking his conduct detrimental to the public service cannot avoid suggesting that it be submitted for consideration to the Postmaster General. The inconvenience of leaving it to the direction of the Deputy Postmaster to return letters sent after the mail is closed to go to a ship of war which may be still in the harbour, or to send them by such opportunity as he may see fit. Nor has he followed the previously invariable practice of giving information to the Governor when a mail is to be made up. 176

Enclosed. Ryland to Heriot, 4th August. That the dispatches sent yesterday afternoon to go by the mail had been sent back with a verbal message that the mail was closed. As the frigate is still in the harbour the Governor orders that another mail be made up and sent by her. 178

Heriot to Ryland, same date. That sending dispatches seven hours after the mail is closed, without any written request is highly disrespectful, that he is not obliged to send dispatches on board of vessels and that he can receive no orders except through the General Post Office. 179

Dunn to Camden (No. 1). That Milnes embarked in the "Uranie" on the 5th and sailed the same day. As administrator his best endeavours shall be used to preserve the good order and tranquility which now prevails in the Colony. Sends list of the Executive Council, on which he has marked the attendance usually given by the members, and transmits, as instructed, a similar list each packet, and shall send the earliest intelligence of all matters relative to this Government. Commissions of Oyer and Terminer were issued by the Lieut. Governor before he left; shall issue similar commissions should the public service require them. 180

Enclosed. List of the Executive Council, with notes on the attendance of members. 182

Dunn to Camden (No. 2). Sends certified copy of rates of exchange and prices current at Quebec for July. 183

Enclosed. Prices current. 184

Dunn to Camden. Refers him to No. 1, stating that Milnes had sailed and he (Dunn) had assumed the administration. Death of General Hunter at 4 o'clock in the afternoon of this day. The command of the forces will, he presumed, devolve on Col. Bowes of the 6th regiment. The two Provinces are now without a General Officer, a Lieut. Governor or a Chief Justice. 187

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August 21, Quebec. Col. B. Ford Bowes to same. Official report on the death of H and that he (Bowes) has taken the command of the forces. The being sudden, he was not in full possession of Hunter's intention as he had intended to return to Upper Canada, leaving him (Bowe command in Lower Canada, he had a general knowledge of the that he trusts to be able to carry on the service in a satisfactory ma Has sent word by express to Russell, senior member of the Coun Upper Canada. Pag

September 5, Downing Street. Castlereagh to Milnes (No. 1). Transmits copy of letter and relative to the culture of hemp in Canada. The paper to be trans into French and, with an engraving also sent, circulated in the Pro of Lower Canada.

Circular dated 10th July, 1805, in Series C, Vol. 245, p. 107, states Castlereagh had succeeded Camden in the Colonial and War Departm

September 11, Quebec. Dunn to Camden (No. 3). Circular to Milnes received; the stri attention shall be paid to communications from the Board of H There is no appearance of any malignant or infectious disease i Province, nor has it been visited with any for several years. Send of the Executive Council.

(For list see page 182.)

September 11, Quebec. Bowes to Camden. Had opened letters addressed to Hunter from Lordship. Letters of 30th June and 3rd July (No. 8) being on affairs he had forwarded to Russell, and extract from so much of as related to the same subject. Previous to Hunter's death order been given for arrangements to secure the ordnance stores. It see be too late to erect the small magazines, but preparations are mad carrying on the work early in spring.

September 25, Quebec. Dunn to Camden (No. 4). Sends minutes of Executive Counc State business between 25th July and 18th instant.

Enclosed. Minutes, 31st July. The tenth report of special mittee presented.

(Copied at p. 113.)

Eleventh report.

Report of Committee on the petitions of Thomas Faunce, C. G. Ste William Wilson, Augustus Willing and Hugh McDonald.

Report on Public Accounts, with journal and proceedings. 200 229

September 28, Downing Street. Castlereagh to Milnes (No. 4). Sends list of Acts who do not a to be liable to any objection.

October 8, Quebec. Dunn to Camden (No. 5). Transmits certified copy of the ra exchange and prices current at Quebec for August.

Prices current

October 9, Quebec. Dunn to Castlereagh (No. 1). Has received circular that His ship has been appointed to the Colonial and War Department in of Camden.

October 24, Quebec. Bowes to same. Sends copy of correspondence with Dunn respe the deficiencies of the civil revenues, which he had declined to good, without the certificate of Milnes. In this he is acting in ac ance with the decision of Hunter. Believes no inconvenience will from the refusal, as no further sum will be required till next May.

Enclosed. Application by Dunn, referred to, dated 21st October.

Dispatches of Portland, dated 19th April, 1803, authorizing the ment of deficiencies in the civil revenues by order from the Comma in-Chief in Canada.

Letter, Bowes to Dunn, 23rd October, that he cannot supply the ciency in the civil revenue without the certificate of Milnes.

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ber 26, Dunn to Castlereagh (No. 2). Transmits reports on the claims of
ec. Monk, for services whilst Attorney General. History of the steps taken by Monk to obtain a settlement which had been suspended by Dorchester. The difficulty met with by the Committee in arriving at a decision. The division of the account; comment on the remarks of the Committee. Statement by the chairman of the difficulty of obtaining proof of the duties performed by Monk and suggesting that a fair settlement would be arrived at by allowing £690 a year for the time covered by the accounts, deducting salary and contingencies already paid. This would leave a balance of about £1,000. The suggestion would have made part of the report, but the Committee did not feel at liberty to do so under the reference. Page 244

Enclosed. Reference to a Committee, 10th June, 1805, of the claims of Monk, for examination. 250

Journal of proceedings of Committee. 251

Statement of Monk's claims. 257

ber 26, Dunn to Castlereagh. States his services for upwards of forty years
ec. and refers to Dorchester for his opinion on their value. Is now acting as administrator; the expense entailed. Proposes to draw for £500 on account till His Majesty's pleasure be known as to the allowance. 261

ber 26, Same to same (No. 3). Respecting the discharge of the deficiency in
ec. the civil revenue by the Commander of the forces. (Substantially as in letter from Bowes with enclosures, pp. 225, &c.) 263

ber 28, Same to same (No. 4). Sends Naval Officer's returns of vessels entered
ec. and cleared at Quebec, between 10th October, 1804, and 10th instant. 266

1806. *Enclosed.* The returns in detail, eight in number. 267 to 274

l 4, Windham to the officer commanding the forces in Upper and Lower
ning Canada. That during the absence of the Lieut. Governor the deficiencies
et. in the civil revenue are to be made good on the certificate of the per n administering the Government. 243

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F.—Fairbairn, James, 97; Ferguson, John, 97; Fraser, James, 97; Frasier, Joel, 96.

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C.—Carleton, 92; Compton, 27.

D.—Dudswell, 27, 101; Dunham, 22, 23.

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K.—Kinsey, 20.

M.—Maria, 92; Melbourne, 27, 99, 106.

N.—Newport, 27; New Richmond, 92.

O.—Orford, 27.

S.—Shefford, 96; Shipton, 21, 27; Stanbridge, 104; Stanstead, 20, 27, 100; Stone, 27; Sutton, 91.

W.—Wendover, 101; Westbury, 27; Windsor, 21, 27.

ACTING GOV. T. DUNN AND MISCELLANEOUS—1805.

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Q. 99.

January 3, Downing Street. Camden to Bishop (Anglican) of Quebec. Shall recommend that his request for leave of absence be granted. Shall be happy to converse with him, when he arrives, on the subjects touched upon in his letters, but cannot hold out expectations that it shall be recommended to the King that he shall be allowed to divest himself of his diocese, although an endeavour shall be made to relieve him of inconveniences. Page 66

January 3, Admiralty. Barron to E. Cooke. That the Lords of the Admiralty that orders are given for the discharge of John Queen (Q. 96, p. 2) and——Panet (p. 4), if the circumstances are as represented. 68

(For discharge of Panet see page 183.)

January 3, London. Lord Harrowby to——. Enclosing Grece's letter for consideration, as the subject is out of his line. 69

Enclosed. John W. Grece to Harrowby, dated Surrey, 20th December, 1804. That in 1801, at the time of the Confederacy of the Northern Powers, which prevented the importation of grain, he had addressed a letter to His Lordship on a plan to obtain a supply, and in consequence large quantities were shipped in the face of opposition. The high cost he had paid in Prussia, with the freight and rate of insurance, necessary to overcome these obstacles. While the wheat was on the way, the victory of Copenhagen, the submission of the Northern Powers, &c., so depressed the price of wheat that it fell from 126s. to 105s. the quarter in London. There was an indemnity, provided it fell below 100s., but this did not benefit him and he could not apply to Parliament, as that would make public an arrangement on which silence was to be kept. He proposes to remove to Lower Canada, provided a sufficient grant be made and would endeavour to introduce the culture of flax and hemp. Begs that he may be recommended for the grant of a township or 50,000 clear of reservations on the border of the River Ottawa in both or either of the Provinces of Upper or Lower Canada. Except for the fur trade, the Provinces can be valuable only in proportion as such enterprises as he proposes shall be undertaken. To overcome the difficulties of clearing, &c., (enumerated) labourers must be brought out at great expense, and he urges these considerations as justifying his application for an extension

tract, and he asserts that in 1801, when pursuing a mistaken prospect of personal advantage, he rendered great service to his fellow subjects. Page 70

Grece to Camden. That he had written to Lord Harrowby. The letter transmitted to His Lordship (Camden) contained the grounds on which he applied for a grant. He encourages the hope that he may contribute to lay the foundation for advancing the interests of the Provinces. 75

Enclosed. Memorial for grant of land. 77

Lords of Trade per Fawkener to Edward Cooke. Asks to be informed what steps have been taken by the Executive Council of the Provinces of Upper and Lower Canada to encourage the growth of hemp therein. 81

Rashleigh, Son & Lee to Cooke. Ask that after Monk's papers are looked over they be granted an interview so as to have the matter settled, send extracts from Monk's observations. 82

Enclosed. Extracts from Monk's letters to Rashleigh, Son & Lee 83

W. Grant to Camden. Sends memorial from Quebec (Mrs. Lynd's). Can vouch for the situation and services of petitioner's late husband, and to the expenditure on the farm in question. 94

Enclosed. Memorial of Mrs. Lynd, widow of David Lynd, late prothonotary of King's Bench, Quebec, for lease for 99 years of farm held by her husband. 95

Order-in-Council assenting to Act regulating the Police, passed by the Legislature of Lower Canada. 98

Memorial of the merchants of Montreal to the Legislative Council against the proposal to place an import tax on goods for the purpose of building gaols, and praying to be heard at the bar of the House in opposition to the same. 100

A similar petition was sent by the merchants of Quebec, to Sir R. S. Milnes; the title only is given. 109

A. Cuyler to Cooke. Had learned on his return that it was intended to appropriate for the site of a church, a lot of ground assigned to him, instead of having the church rebuilt on the old site as requested by the rector and parishioners. That he might not be deprived of this lot and of the waste lands, owing to the unfriendly disposition of this Government, had apprised the Governor by letter that he had received an order from Camden for the lands and lot. The steps he had taken to establish his claims, the obstacles in his way. Details are given of vacant lots, &c., available for the church without taking that assigned to him, but he is willing to take one outside the walls. His services, losses, &c. 110

Enclosed. Copy of Cuyler's memorial. 116

Copy of Cuyler's letter to Milnes, 26th November, 1804. 119

Answer by Milnes through Ryland 29th November. 120

Other documents on the subject. 121 to 180

Memorial of John Briggs, praying that he may succeed Thomas Dunn, as a puisné judge for the district of Quebec. 181

Marsden to Cooke. By a letter from Lord Nelson it appears that —— Panet, impressed and taken on board the "Excellent," has been discharged. 183

(See Q. 96, p. 4 and Q. 99, p. 68.)

Ordnance Office by Crew to Cooke. Had been in communication with the officers of Artillery and Engineers in Quebec, and although no complete arrangement could be made for defence until the system is adopted, yet the ammunition ought, at all events, to be placed in safety, the Citadel house repaired for this purpose and small magazines to be built for the supply of the batteries round the town. Asks that Camden be moved to send directions to Lieut. General Hunter for the performance of the service. 184

1805.

May 28, Quebec. Observations by J. Ker, Judge of the Court of Vice Adm
Lower Canada, on "An Act for the better regulation of pilots
" ping in the Port of Quebec and in the Harbours of Quebec
" treal, for improving the navigation of the River St. Lawren
" establishing a fund for decayed pilots, their widows and orph

June 12, Rolls House, London. Sir W. Grant to Camden. Asks that the Viscount de Vaux
can be done, obtain what he desires, as it would be an act o
otherwise he will lose all the advantages he expected from hi
land.

June 16, London. Viscount de Vaux to Grant. That he would use his influ
Camden to be sent to Canada immediately and receive there
allowance for him and his family as he would receive in Lond
with arrears would amount now to £3,000. That the quantity
a township he asks for, should be settled before he sailed. D
has had for himself alone, more money than he asks for all h
who number 20. He, however, confines his wishes to be sen
ately to Canada after obtaining means to pay his debts.

(There seems to be an error in the dates of these letters, t
Master of the Rolls, Sir W. Grant, of the 12th June, having
apparently, to de Vaux's letter dated the 16th.)

July 2, King's Bench. Memorial of Charles de la Garde. That he had received a
land in Canada; how he was prevented from taking possession;
have caused him to be sent to the King's Bench prison; pray
Government would repurchase the land granted to him, so
might be released and enabled to return to Rssia.

Enclosed. Copy of letter from Sir Joseph Banks on the
rendered by the Russian Commander at Kamschatka to the sh
Captain Cook; when they touched there in 1779. On his retir
youngest daughter was married to Charles de la Garde, Ch
to the King of Poland, but the Polish revolution deprived him of
fortune. In this condition his father-in-law, the former Comm
Kamschatka recommended him to go to England and ask f
Canada; should it be granted the father-in-law will supply two
attendants and a sufficient number of persons to cultivate the lar
that the grant be made.

Portland to Prescott. Transmits letter from Banks and de
to give de la Garde a favourable allotment of land, as regards
and quantity.

Translation of a certificate of the identity of la Garde.

July 5, London. Chatham to Camden (confidential). Has received lett
Hunter and plans, &c., from Mann for his opinion. Differences
on the subject between Hunter and Mann on the one side and the
tee of Engineers on the other as to the defences of the City o
Sends Mann's answer to the report of the Committee. Suggests th
ject of the Committee, (with the sketch) for the Citadel of Quebec,
sent to the commanding Engineer, through Hunter, to have the
work traced on the spot, and to report if the ground is c
admitting it without the inconveniences Mann apprehends. If s
of the Committee would be preferable, but if as apprehended
then his should be adopted. Leans strongly to the opinion o
ing the heights of Abraham as proposed by Mann, as no attack
made on Quebec that would not render the measure of peculiar u
considerable works there might in the meantime be suspended u
on the Citadel are completed. There can be no doubt of the
of the proposed repairs to Lower town, &c., so as to assure it
coup de main. The consideration of these and other works may f
sent be suspended. The expenditure should be carried on under

805.

the same way had long been practised with advantage. Cannot spare to Quebec an experienced officer like Mann but Bruyeres is a most capable and efficient officer. The occupation of St. John's and Isle aux Noix is not for engineers to decide, it is a question of general military expediency. Has no observation to make on the Reserves at Quebec beyond what is in the report. Page 206

Enclosed. Observations, dated 22nd March, 1805, on the report of the Committee of Engineers on the defences of Quebec. The observations are very detailed and technical. 211

Report referred to, dated 14th March. 221

Plan, with the different proposals marked with yellow and red lines; the old works are shown by black lines. 225*a*

10, ury. Treasury by W. Sturges Bourne to Cooke. Transmits memorial of George Law, for remuneration for his services as a Commissioner for valuing the Jesuit estates in Quebec. 226

25, chall. Cottrell to Cooke. Transmits copy of the minute of the Lords of Trade on the culture and manufacture of hemp in Canada, to be laid before Castlereagh for His Lordship's information, and that such part of the minutes as relates to the growth, &c., of hemp should be promulgated by the Governors of Upper and Lower Canada among the inhabitants and read from time to time in the churches after divine worship. 227

Enclosed. Minute referred to. 229

27, ury. Bourne to Cooke. That in accordance with the recommendation of the Lords of Trade, the Treasury ordered the Transport Commissioners to purchase hemp seed to be sent to Canada. 236

Enclosed. The report of the Lords of Trade referred to. 237

ber 2, c. Sewell to Adam Gordon. Sends copy of memorial lately presented to Milnes, which he had suggested should be sent to him (Gordon). Sir Robert Milnes, on his arrival in London, will give every information required. 239

Enclosed. Stating the terms of his commission and praying that a warrant might issue for the fees due to him since his appointment. 240

ber 3, c. Heriot to Camden. A public officer, when attacked by a Lieut. Governor, is justified in deviating from the usual channel of correspondence to attain the shortest direction of defence. That in the case of complaint of not forwarding dispatches, the hour of closing the mails had been notified. Seven hours after they had been closed a man employed as a waiter came to his (Heriot's) house when he was at dinner, brought what he called dispatches, without any written request, desiring they should be sent on board ship, which he is under no obligation to do. The Lieut. Governor, who is to embark in that ship, could easily have ordered them to be conveyed with himself. Trusts that if a complaint has been made against him that it shall not be allowed to operate to his prejudice. 244.

ber 15, month. Order-in-Council that in certain cases the grantees of Crown lands may be dispensed from taking the oath prescribed to be taken before the Commissioners. 247

ber 17, ury. Huskisson to Cooke. In answer to Castlereagh's application for bounties for the cultivation of hemp, the only step the Lords of the Treasury think necessary at the present stage is to order an advance of £400 each to Campbell and Grece, with security for repayment should the conditions not be complied with. 249

ust 24, tehall. Cottrell for Lords of Trade to Cooke. That Castlereagh might be moved to obtain the King's authority to desire the Lieut. Governor to appropriate 150 acres of cleared land out of the 300 granted to Campbell and Grece for the cultivation of hemp. 250

1805.

September 2, Whitehall. Cottrell for Lords of Trade to Cooke. Transmits paper on the cultu of hemp, prepared by Taylor, Secretary of the Society of Arts, &c., wi an engraving of the implements necessary in its preparation. Page 2

Enclosed. Remarks by Charles Taylor. 2

Plan referred to. Method recommended for preparing hemp Canada. 27

September 13, Treasury. Huskisson to Cooke. Transmits requisition from Milnes for goods be given as presents to the Indians. (Q. 98, pp. 171, 172.) 2

October 20, Montreal. A. Cuyler to same. Further respecting his claims to a grant of Crow lands. 2

Enclosed. Ryland to Cuyler, 5th October, recommending him write respecting his land grant to Milnes, who must be now in Londo he (Ryland) can do nothing and the President of the Council not kno ing the Lieut. Governor's intentions, will leave the matter to be settl between Milnes and His Majesty's Ministers. 2

November 4, Quebec. Memorial of W. Holmes, M.D., to Castlereagh, for a grant of land payment of the expenses he incurred in his attendance on the India during the years 1790 and 1791, whilst he was stationed at Detroit. 2

November 10, Quebec. Dunn to Castlereagh (No. 5). Dispatches received. Notice to office on half-pay shall be printed and published through the Province, a shall have the paper on the culture of hemp translated circulate Public attention has lately been turned to this subject owing to t encouragement given by the Legislature. Has received invoice of hem seed on board the "Lydia," which has arrived at Quebec. Shall ha the seed distributed to the greatest advantage.

November 16, Quebec. Same to same (No. 6). Has transmitted to Merry, His Majesty Minister at Washington, the memorial of merchants engaged with t trade with the Indians who are in United States territory. Sends co of his letter which accompanied the memorial, which contains t grounds of complaint by the merchants. The Superintendent of Indi affairs in Upper Louisiana does not appear to have acted und directions from his Government.

Enclosed. Dunn to A. Merry, Minister at Washington, 15th Nove ber, 1805, with copy of memorial, &c.

Memorial of the merchants of Montreal, engaged in the trade w the Indians within United States territories. The signatures of t members are given.

Proclamation by James Wilkinson, Superintendent of Indian affa for Louisiana, St. Louis, 26th August, 1805, forbidding the citizens subjects of a foreign power from entering the Missouri for the purpose Indian trade.

November 27, Quebec. Dunn to Castlereagh (No. 8). Transmits certified copy of the ra of exchange and prices current at Quebec for September a October

Enclosed. Prices current for September.

The same for October.

November 27, London. Inglis to Castlereagh. Sends memorial from merchants of Lond trading to Canada, respecting a law lately passed by the Legislature Lower Canada, on the subject of which they desire to wait on Lordship.

Enclosed. Memorial, of same date, calls attention to an Act lat passed in Lower Canada, imposing additional duties on spirits, wi and teas, and a new duty on sales by auction, for the purpose of erec gaols at Quebec and Montreal respectively. Reasons against the po of the Act given in detail. The memorialists pray that the Act be assented to.

December 9, Treasury. Harrison to Cooke. Asks that Castlereagh give his opinion on order from Colonel Bowes to the Deputy Paymaster General to d

1805.

bills on the Paymaster General for £10,000 and the Deputy Commissary General to draw on the Treasury for £20,000 for ordinary and extraordinary services in Upper and Lower Canada, and to supply the deficiency in the civil expenditure. Page 291

mber 9, don. Rashleigh, Son & Lee to same. Again calling attention to the claim for payment of the fees due to Monk whilst Attorney General. Send documents and request an interview. 293

Enclosed. Memorial, dated Quebec, 20th October, 1805, from Monk, respecting fees due him. 295

Case of the Attorney General's fees. 305

Other documents relating to Monk's claim. 320, 322, 324, 328

mber 24, ec. Dunn to Castlereagh (No. 9). Transmits certified copy of rates of exchange and prices current for November. 26

Enclosed. Prices current. 27

mber 24, ec. Dunn to Castlereagh (No. 10). Sends minutes of Council on State business from 19th September, and on Crown lands from 1st August, both to 9th instant. 30

Enclosed. Minutes, 30th September, journals and proceedings of the Committee in the case of Monk. 31 to 41

Report on an application from the Deputy Secretary and Registrar respecting the proposed lease of the Crown and Clergy lands. 42

Report on the petition of J. Hill for a salary as crier. 44

On a letter from I. W. Clarke that an allowance be made to Ermatinger, Secretary for the Committee on hemp culture. 44

Minutes, 25th November. John Richardson sworn in as Executive Councillor. 46

Mandamus in his favour. 47

Minutes, 9th December. Report on books, &c., wanted for the House of Correction, Montreal. 49

On petition of Philemon Wright for land as an equivalent for hemp raised in Lower Canada. 50

Recommended that he be granted 1,200 acres additional. 51

Minutes of proceedings on Crown lands. 53

1806.

(For names see alphabetical list.)

l 4, ning et. Castlereagh to Dunn (No. 1). Dispatches received and laid before the King. How it was decided Monk's claim should be discharged. He (Dunn) has power to settle on the report of Committee, the rule laid down for the examination of Monk's accounts having been followed. There can be no objection to the alternative of paying him £600 a year for the period comprehended in his accounts, deducting the salary and contingencies already paid should he prefer this mode of settlement. Hopes that there will be no need of further reference. The Commander of the forces will be furnished with authority to make good the deficiencies of the revenue. A reference to the King's instructions will show that the £1,500 a year for the Lieut. Governor is appropriated to the member of Council on whom the administration may devolve, but without other allowance or emolument. Sends copy of memorial from Holmes for land in Lower Canada.

Applicants for Lands in this Volume.

(The figures after the names show the pages.)

G.—Green, Benjamin, 57, 60; Gugy, Louis, 59.

H.—Hart, Moses, 58; Hoyt, Sanford, 57.

S.—Sanford, Elizabeth, 54, Ephraim, 53, Esther, 54; Saul, Elizabeth Hanna, 58, John, 58, 60, Thomas, 58.

W.—Wright, Philemon, 59; Wurtele, Joseph, 58.

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TOWNSHIPS.

A.—Ashton, 56, 60.
E.—Eardley, 54.
F.—Frampton, 56, 60.
H.—Hull, 55, 59.
M.—Milton, 58, 60.
R.—Roxton, 57, 60.

SEIGNIORIES.

S.—St. Maurice, 59.

ACTING GOV. T. DUNN—1806.

Q. 100.

1806.

January 22, Quebec. Dunn to Castlereagh (No. 11). Has received dispatches addressed to Milnes, Nos. 1 and 4, but 2 and 3 have not reached. Death of Rev. M. Denaut on the 18th inst. Shall send particulars relating to the vacancy at a future time. Page 2

January 22, Quebec. Same to same (No. 12). Sends certified copy of rates of exchange and prices current. 4

Enclosed. Prices current. 5

February 15, Quebec. Same to same (No. 13). Had informed His Lordship of the death of Rev. M. Denaut, titular Bishop of Quebec. Application of Mgr. Plessis, Coadjutor, to take the oath of allegiance previous to entering on his office as successor, and requested that the Rev. Bernard Claude Panet should succeed as Coadjutor. Had searched the records of the Council and summoned the members to meet on the 27th January to administer the oaths according to the practice shown by the records of Council. Has fixed on Panet as Coadjutor, having known him for forty years as a good and loyal subject, whose father had been one of the Judges of Common Pleas and been of service in the administration of civil justice by the Military Courts. On the 8th instant he took the oath of allegiance as Coadjutor. 8

February 18, Quebec. Same to same (No. 16). Sends certified copy of rates of exchange and prices current at Quebec for January. 16

Enclosed. Prices current for January. 17

February 19, Quebec. Dunn to Castlereagh (No. 14). Has received dispatch No. 3 by Grece, whom he will assist in every way possible. Has provided him with 75 bushels hemp seed and 100 copies of Taylor's "Remarks," which has been translated into French for distribution. There are no ungranted lands of the Crown cleared fit for the cultivation of hemp. Has advised Grece to ascertain if such lands in a suitable situation cannot be obtained by purchase, so that he may enter on the cultivation without loss of time. 10

February 19, Quebec. Same to same (No. 15). Sends copy of petition from the widow of O'Hara, late Provincial Judge at Gaspé, that her husband had been unable to make the least provision for her out of his small salary of £200 a year and that she is utterly helpless from extreme old age and infirmity, and praying for an annuity. Believes the statements to be correct; the late Justice O'Hara was a very upright and faithful servant of the Crown. 12

Enclosed. Memorial from Mrs. Mary O'Hara. 14

March 18, Quebec. Dunn to Castlereagh (No. 17). Sends speech to the Legislature and addresses. There appears to be every disposition in both houses to promote what he has recommended. The bill for the better preservation of His Majesty's Government and that for regulating the trade with the United States have already passed the Assembly unanimously. The

806.

Alien bill has had two readings. *Gazette* received with account of victory over the combined fleet and the death of Nelson. Page 20

Enclosed. Speech at the opening of the Legislature, 20th February. 22

The same in French. 25

Address of the Legislative Council. 28

The same of the Assembly. 30

Answer. 35

Address of the Assembly in French with answer (44). 36, 43

h 19, Dunn to Castlereagh (No. 18). Sends certified copy of the rates of exchange and prices current at Quebec for February. 45

Enclosed. Prices current for February. 46

6, Dunn to Castlereagh (No. 20). Transmits petition and memorial from the Assembly on the subject of the Act passed for the erection of gaols in Quebec and Montreal. The proceedings in this case unprecedent and unparliamentary, but thought it best to forward the petition, not to cause irritation by refusal at a moment when tranquility may be of consequence to His Majesty's interests. 62

Enclosed. Address from the Assembly to the King, giving reasons for passing the Act for erecting gaols and providing the means for doing so, and praying that the Act be not disallowed. 64

Motives which led the Assembly to adopt the mode of taxation in the Act for erecting gaols, in preference to a land tax. 67

Memorial to Dunn that he would transmit the petition and memorial to the King. 76

Answer by Dunn, that the petition and memorial shall be transmitted as requested. 78

l 15, Dunn to Castlereagh (No. 19). Sends memorial of the widow of N. Taylor, an American loyalist, who removed from Boston to Quebec, in 1776. His services and meritorious conduct. The distressing situation of Mrs. Taylor, her daughter and granddaughter. The losses sustained by Mrs. Taylor's relatives in consequence of the American Revolution. Recommends her case for favourable consideration, and refers former Governors (Dorchester, &c.) for further particulars.

Enclosed. Mrs. Taylor's memorial. 55

The memorial of Nathaniel Taylor, late Naval Officer of the Province of Massachusetts Bay, to the commissioners for inquiring into the claims of American loyalists, dated 28th January, 1786. 58

l 16, Dunn to Castlereagh (No. 21). Sends certified copy of rates of exchange and prices current at Quebec for March. 80

Enclosed. Prices current. 81

12. Dunn to Castlereagh (No. 22). Had prorogued the Legislature on the 29th of April. Sends speech and schedule of the Bills passed, one of which, "to authorize Jacques LaCombe to build a bridge over the "River L'Assomption," has been reserved, after getting the Attorney General's opinion, which, with the Bill, is enclosed. The object itself is worthy of encouragement, but the disposition of the revenue is not in accordance with the Royal instructions. 84

Enclosed. Speech on prorogation. 86

Schedule of Acts passed. 88

Attorney General's report on "Bill to authorize Jacques LaCombe to "erect a bridge over the River L'Assomption." 91

Copy of the Bill. 93

Title of the volume of statutes; not copied, the volume being among the Archives. 114*a*

13. Dunn to Castlereagh (No. 23). Sends memorial of W. S. Moore, member of Assembly. A previous memorial of Moore for land, referred

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to the Executive Council was rejected as too late. His usefulness; has no hesitation in laying this memorial before His Lordship to obtain authority for the Council, if that should be thought proper, to consider the memorials with a view to grant the lands asked for to Moore and his family. Page 115

Enclosed. Memorial of W. S. Moore. 117

May 14, Quebec. Dunn to Castlereagh (No. 24). Sends certified copy of rates of exchange and prices current at Quebec for April. 120

Enclosed. Prices current. 121

May 30, Quebec. Dunn to W. Windham (No. 1). That he will transmit such intelligence as may be proper to send. The utmost attention shall be paid to the suggestions of the Board of Health to prevent the introduction of infectious disease, of which there is not the slightest appearance. The hemp seed sent out last fall proved good for nothing; thinks the surest means of getting good seed would be to procure it in the neighbouring states. 124

June 5, Downing Street. Windham to Dunn. Dispatches received and laid before the King. In addition to the correspondence respecting the encouragement to be given to Campbell, Grece and others who should engage in the culture and preparing of hemp, sends copies of correspondence between the Board of Trade, Admiralty, Treasury and Navy, showing that Clarke, Deputy Commissary at Montreal, and not Grece and Campbell, is to be appointed inspector of hemp, Clarke's authority to be furnished by the Naval Board. Transmits copy of letter from the Lords of Trade respecting the Act for erecting gaols in Quebec and Montreal and the means of defraying the expense, with representations on the subject. No provision has been made for the application of any surplus that may be raised for that purpose after the cost of these gaols is defrayed. The surplus is not to be used until special directions are received. 49

June 11. Dunn to Windham (No. 2). Dispatches received. Had communicated to the merchants the substance of his letter of the 2nd April, as directed, and shall take the necessary steps for finally discharging Monk's claims. The Commander-in-Chief had received orders to make good the deficiency in the civil revenues, but the balance in the hands of the Receiver General renders this unnecessary at present. 127

June 11, Quebec. Bowes to same. Acknowledges receipt of order to make good the deficiency in the civil revenues. 128

June 25, Quebec. Dunn to same (No. 3). Sends certified copy of rates of exchange and prices current at Quebec for May. 129

Enclosed. Prices current. 130

July 3, Downing Street. Windham to Dunn (No. 4). In the present distressed state of the widows of O'Hara and Taylor, is strongly inclined to recommend their cases to the King, but the allowances on the Provincial revenues are already very heavy. If the King's bounty should be extended to the memorialists, he (Windham) shall not feel warranted in recommending more than £50 per annum to each. 79

July 14, Quebec. Dunn to Windham (No. 4). Sends schedule and exemplifications of the Acts passed in the last session, and copy of the Journals of the Legislative Council. Sends also copy of the reserved Act authorizing Jacques LaCombe to build a bridge over the River L'Assomption; the reasons for this are already given. 133

Enclosed. Schedule. 88

Journals of the Legislative Council of Lower Canada, for the second session of the fourth Parliament. 135

July 15, Quebec. Dunn to Windham (No. 5). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 5th April to 5th July. 204

Enclosed. Returns. 203 a, &c.

Dunn to Windham (No. 6). Sends certified copy of rates of exchange and prices current at Quebec for June. Page 205
Enclosed. Prices current. 206
Dunn to Windham (No. 7). Transmits memorial of the widow of Le Maistre, with copy of former memorial to Milnes. Le Maistre's services; the distressed situation of his widow, who is left absolutely destitute, the proceeds of the property sold not paying the debts of her late husband. 209
Enclosed. The memorials. 211, 213
Dunn to Windham (No. 8). There is no infectious disease in the Province; should any make its appearance shall report. 215
Windham to Dunn (No. 5). Dispatches received. Does not object to Moore's memorial being taken into consideration. Extract of letter respecting the failure of hemp seed has been sent to the Committee of the Privy Council and Treasury. He is authorized to have an allowance of £50 each paid to the widows of O'Hara and Taylor. 126
Dunn to Windham (No. 9). Dispatch respecting half-pay officers received with forms to be used by them, which he would publish in a proclamation. Objections to appointing magistrates specially to administer the prescribed oaths; the magistrate nearest the officer should be allowed to do so. Cannot send the signatures of the different magistrates; sends list of those in Lower Canada. 216
Enclosed. List of Justices of the Peace for the District of Quebec. 221
Dunn to Windham (No. 10). Arrival of Allcock; his appointment to be Chief Justice and admission as a member of the Executive Council. 236
Same to same (No. 11). Sends certified copy of rates of exchange and prices current at Quebec for July. 237
Enclosed. Prices current. 238
Dunn to Windham (No. 12). Sends report of a committee on the cultivation of hemp. There are no cleared lands that can be granted; the committee, therefore, recommend that a sum be granted to lease suitable lands sufficient for a fair trial. Campbell has not yet arrived; Grece arrived last fall and is now established in the vicinity of Montreal. Sends copy of correspondence with him and reports of the Committee of Council, relative to the purchase of lands for the culture of hemp. Grece has been paid at the rate of £200 per annum from the date of his embarking on the 17th of October. Is this to continue? No more fit person than Isaac W. Clarke could have been selected to receive and inspect the hemp. No surplus arising from the tax for the erection of gaols shall be used until special directions are received. Has received letter from Clarke that he has neither received letter of appointment nor instructions from the Navy authorizing him to act as Inspector. 241
Enclosed. Schedule of enclosures. 245
The reports and correspondence referred to in the preceding letter from 12th March to 12th May and Clarke's letter of 25th August, all relating to the culture of hemp. 246 to 266
Gazette containing regulations to prevent fraud in the receipt of the half pay or allowance of officers living in the Provinces. 226
In French. 231
Dunn to Windham (No. 13). Sends certified copy of rates of exchange and prices current at Quebec for August. 267
Enclosed. Prices current. 268
Dunn to Windham (private). Calls attention to the insufficiency of his allowance whilst administering the Government. 272
Same to same (No. 14). Hopes that authority may be sent for the payment of an annual allowance to the widows of O'Hara and Taylor. 275

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October 15, Quebec. Dunn to Windham (No. 15). Sends certified copy of rates of exchange and prices current at Quebec for September. Page 276
Enclosed. Prices current. 277

October 16, Quebec. Dunn to Windham (No. 16). Shall, as permitted, submit Moore's memorial for land to the Executive Council, and issue warrants for the payment of £50 each to the widows O'Hara and Taylor, who are sincerely grateful. 280

October 27, Quebec. Same to same (No. 17). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 5th July to 10th instant. 181
Enclosed. Returns. 281*a* to *d*

October 28, Quebec. Colonel Isaac Brock to Windham. Calls attention to the inconvenience of hiring houses in Quebec for military hospitals and transmits plan of a building calculated to remove every difficulty. 283
Enclosed. Estimate of the expense to build a range of barracks to serve as an hospital, to cost £3,183 13s. 2½d. 284
Plan. 2 5*a*

November 5, Quebec. Dunn to Windham (No. 18). Sends requisitions for goods to be used for presents to the Indians. 286
Enclosed. Requisitions. 287 and 293

November 5, Quebec. Dunn to Windham (No. 19). Sends certified copies of the rates of exchange and prices current at Quebec for October. 294
Enclosed. Prices current. 295

November 5, Quebec. Dunn to Windham (No. 20). Sends letter of reference to a Committee of Council relative to a sale of the lease of St. Maurice Forges, with report of the Committee. The sale of the lease was recommended by the report postponed till the 1st instant, when it was disposed of to Monro & Bell, the former lessees, at £60 currency per annum. The loss sustained, as the rent is not proportioned to the value, but he did not feel justified in withholding the lease after a fair and public sale. 298
Enclosed. Reference to the Council respecting the sale of the lease of St. Maurice Forges, 10th June. 300
Report of the Committee thereon. 302

November 6, Downing Street. Windham to Dunn (No. 6). Dispatches received; that relating to the publication of the regulations respecting officers and half pay, has been sent to the Paymaster General; the one with the proceedings concerning the culture of hemp in Lower Canada has been forwarded to the Lords of Trade. 271

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ACTING GOV. T. DUNN AND MISCELLANEOUS—1806.

Q. 101—1.

Dunn to Windham (No. 21). The Commissioners of the Navy have offered Clarke by letter (shown to Dunn) the sum of £2.10 for every ton of clean hemp shipped from Montreal to Quebec by him or his deputy as remuneration for his trouble as agent. Clarke had wished to decline, but afterwards accepted the situation of agent, but does not consider the remuneration sufficient. Agrees with him and recommends an increase, Clarke being the fittest man to be found in the Province, besides his having been at great pains and trouble for several years in promoting the growth of hemp. Arrival of Campbell; shall afford him every assistance. 2

Same to same (No. 22). Sends transcript of the proceedings of the Commissioners for the management of the Jesuit estates. 5

1806.

Enclosed. Proceedings of the Commissioners from 14th May, 180
30th October, 1806. Page 6 t

November 8, Quebec. Dunn to Windham (No. 23). Sends copies of the proceedings o Executive Council, relative to State business and also concerning Cr lands from 10th December, 1805, to 27th October last, with other d ments.

Enclosed. List of Executive Councillors.

Minutes, 27th January. Report of Committee on letter from Surveyor General respecting stationery and fees of office.

Reports on application from Receiver General for an allowance agent in Montreal employed to collect the duties from auctioneers, report.

The same, second report.

Report on petition of certain officers respecting fees on grants of

On sundry petitions for the leases of Crown and Church Reserve (For names see alphabetical list.)

Bishop Plessis takes the oath of allegiance.

Minutes, 8th February. Report on the Public Accounts for the year beginning 11th April, 1805, with details, tables, &c.

Rev. Bernard Panet, Coadjutor, takes the oath of allegiance.

Minutes, 17th March. Report respecting Light House on G Island.

Report respecting the Government schooner "Hazard."

Report respecting the form of lease for Crown and Clergy Rese

Minutes, 21st March. Statement of the Provincial Revenue o Crown.

Report thereon.

Minutes, 26th April. Further report on form of lease for Crown Clergy Reserves.

Further report concerning the "Hazard."

Report on petitions for leases of Crown and Church Reserves. (For names see alphabetical list.)

Report respecting boat buoys for the Traverse.

Report on opening a road from the Connecticut to the Chau River.

Further report on the same presented.

Report respecting an allowance to P. E. Desbarats, Secretary to Quebec Committee on hemp culture.

Further respecting form of lease to the Crown and Ch Reserves.

Minutes, 16th June. Report respecting the purchase of lands fo culture of hemp.

Report on queries by the late Deputy Secretary, respecting the of lease of Crown and Church lands.

Reference respecting the putting off the sale of the lease o Maurice Forges.

Report on the same.

Report on the protest of Moses Hart against the sale of the lea the Forges.

Order to advertise, and copy of the advertisement of the sale.

Minutes, 15th July. Report on the expense of printing forms of for the Crown and Clergy lands.

Representations of officials on the negligence of persons in not ta up their patents and paying their fees.

Petition of sundry officers concerned in passing patents for lands

Report on letter from Monro & Bell respecting a road to the St. Maurice Forges. Page 155

Order respecting an additional clause to the lease of the St. Maurice Forges. 157

Minutes, 12th August. Chief Justice Allcock sworn as member of Executive Council. 158

Minutes, 13th September. Report on Public Accounts, with journal containing proceedings, with details and tables. 159

Report on petitions for leases of Crown and Clergy Reserves. 179
(For names see alphabetical list.)

Minutes, 4th October. Report on opening roads and proposed advertisement. 181

Monk's accounts referred to committee. 191

Report on the same. 193

Petition of the Ursuline Nuns of Three Rivers for relief in consequence of their convent having been destroyed by fire, referred to committee. 196

Report on the same. 196

Minutes on Crown lands. 198 to 224

Windham to Dunn (No. 7). Regrets the low price that, owing to the circumstances, the lease of the St. Maurice Forges was disposed of. Has sent copy of letter (No. 21) relative to the appointment of Clarke as agent for receiving hemp. Transmits letter from the Post Office relative to the oath to be taken by half-pay officers. 73

ACTING GOV. T. DUNN AND MISCELLANEOUS—1806.

Q. 101—2.

Marsden to Cooke. Sends letters from Captains Wood and Hubert respecting a box of papers addressed to Camden and not delivered. 361

Enclosed. Note from Captain Wood, that all the packages, public and private, brought by the "Uranie" had been landed at Deal by Captain Hubert's clerk. 362

Captain Hubert. That numerous answers, packages, public and private, were received on board the "Uranie"; the greater part of the public ones were brought by the Lieut. Governor and were not under his (Hubert's) charge. His clerk had a list of all entrusted to his care, but he has been discharged from the service and has kept the list. Believes all were landed at Deal. 363

Huskisson to Cooke. That half the quantity of hemp seed sent to Canada last year is to be forwarded this year to Dunn, with six hand machines and six hackles, to be used as models. 365

Fawkener to Shee. The Lords of Trade, in reference to complaints by merchants of Montreal, that an attempt has been made to prevent them from entering the Mississippi to trade with the Indians, unless they abjure their allegiance, desire to know what representations on the subject have been made by the Lieutenant Governors of Canada on this subject. 366

Rashleigh, Son and Lee. Further inquiry respecting accounts of Monk. 367

King to Shee. Six hand machines and six hackles have been forwarded to Canada, for the preparation of hemp. 369

Minute of the Lords of Trade that Grece and Campbell would be improper persons to receive and inspect hemp grown in Canada to be shipped, so long as they are growers. 370

Enclosed. Admiralty enclosing letter from Navy Board that only clean hemp should be shipped, as inferior hemp is not worth the freight.

1806.

Grece and Campbell, so long as they are growers, are improper pe
to be employed for receiving and inspecting hemp. Pag

Navy Board. The arrangements for receiving and inspecting h
Clarke should be appointed to the office at a salary of £250, with
for a deputy, &c.

April 17, Whitehall. Lords of Trade to Shee. That they see no reasons to recommen
Act in Lower Canada for the erection of gaols should be disallowe
no provision is made for the application of a surplus, the
Governor is not to give his consent to any application of it wi
special directions.

May 18, London. Milnes to Shee. The Abbé Calonne is mistaken in representing
he (Milnes) ever voluntarily admitted emigrant priests whilst he a
istered the Government of Lower Canada. Only two present them
in that time, one, an Italian Jesuit, not having proper creden
was ordered to quit the Province; the other was admitte
the order of Sullivan in Hobart's time to be allowed to g
Montreal as one of the resident clergy. Had pointed out the se
consequence of admitting French emigrant priests into Lower Ca
Refers to this letter by which it would be seen that Prescott had
representations to the same effect in 1791. Had found in Martinic
in Lower Canada that the emigrant priests are with difficulty restr
from intermeddling in political matters, leading the Canadian priest
to follow their example. Until the question of the settlement of Cat
establishments in Lower Canada, it cannot be desirable to send
candidates.

Enclosed. J. Beecourt to ——— (in French), dated 25th
Encloses letter and petition sent him by Abbé de Calonne. Has rec
upwards of 100 letters and requests to be submitted; respecting whi
did not presume to be importunate, but this being of a nature and
son having rights, believes that he would offend by suppressing
the decision will prove to the Canadians that Government is not
judiced, as they may be induced to believe.

Abbé de Calonne to de Puisaye (in French). no date, recalling fo
friendship, as a reason for asking him to have petition present
Windham. His charge in Prince Edward Island in 1799, where he
employed for six years amongst the Indians and Catholics, who are
in great numbers. The Bishop of Quebec, being satisfied with
services, appointed him director of the Ursuline Nuns at Three Ri
having no suitable person among his own clergy. Had sent off his b
and was prepared to go, when the Bishop informed him that Gove
Milnes had not granted permission for him to go to Canada, a re
based on the general rule to admit no French emigrants. At the
time in consequence of the death of his brother, he had to leave
England, in which he arrived last year. The Bishop of Quebec wro
him several times that he hoped he would obtain, whilst in Eng
permission to go to Three Rivers, and that he relied on me con
Before presenting a petition to the Ministry. he tried to influence M
through friends and Dillon promised to be his security and to urge
matter, but was unsuccessful, although others had been allowe
settle in Canada. States his superior claims on account of the servic
his brother and himself, on which and other reasons he enlarges.

Petition (in French), undated, for leave to go to Three Rivers.

Milnes to Sullivan (secret), of 21st October, 1803, respecting emig
priests. (See Q. 93, p. 45.)

June 2, Treasury. Harrison to Shee. Transmits copies of letters from the Treasur
the Commissioners of the Navy and Secretary of the Admiralty, res
ing the salary to Clarke for receiving and shipping hemp to be g
in Canada.

1806.

Enclosed. Of same date, letters to Commissioners of the Navy (398) and Secretary to the Admiralty (400), respecting Clarke's salary.
Page 398, 400

14, ...tion. Milnes to Shee. Deeply regrets the death of M. Denaut, a loyal subject and decidedly attached to Government. Had on his arrival in September, presented M. Denaut's memorial and two dispatches addressed to Camden, with all the information he (Milnes) could procure relating to the Catholic establishment, to which he refers. Had he been in Quebec when Denaut died, he would have taken no step towards receiving M. Plessis, the Coadjutor, as Bishop until referring the subject to His Majesty's Government, especially as Plessis had already taken the oath of allegiance as Coadjutor and as titular Bishop of Canat (Canathe in Palestine) and therefore qualified for all the essential functions of the deceased Bishop. Has no reason to think otherwise than favourably of M. Panet, but would have hesitated to appoint him Coadjutor on account of the pretensions of his brother, the Speaker of the Assembly. 401

20, ... Memorial from A. Cuyler. Prays that the order for his land may be complied with, and that he may obtain letters patent for the same. 410

Enclosed. Order dated 31st July, 1804, that he is to obtain land to make up his quantity to 20,000 acres. 412

28, ... Mercator to ———. Sends remarks on a country little known, except to those who have visited it, with the object of promoting the interests of Great Britain. The union of the civil and military power in the same officer, giving power to meet quickly a political emergency. The separation of the two after Haldimand had left in 1784, but its inconvenience caused the Government to be again placed in the hands of a military officer. A change again took place in 1799, and the country has since been in a languishing state, with jealousy between the heads of the civil and military departments. The disadvantages of the separation in weakening the energy of Government and in restricting hospitality, an essential requisite to secure respect. The Canadians from training do not respect a person at the head of affairs who does not also command the troops; paying no taxes, except on articles of consumption, they are scarcely sensible of the weight of Government. The strong desire to have a person of high military rank appointed Governor. 404

...t 11, ...ury. Harrison to Shee. Sends letter from Colonel Bowes, that he has drawn for £30,000 to defray the extraordinary services of the Upper in Upper and Lower Canada, and asking for Windham's opinion on the same. 408

...t 27, ...ury. King to same. That the Paymaster General has orders to remit $100,000 to Canada to the officer commanding the force there. 409

...t 20, ...ury. Thomas Crafer to same. Sends memorials, &c., from Cuyler, to be laid before Windham. 413

(Memorial dated 20th June, calendared at its date.)

...er 26, ...pool. Admiral Coffin to Windham. Complains that on the Magdalen Islands there are forty-two families of Frenchmen, enemies of the King, who took refuge there when St. Pierre and Miquelon were captured. They live in open defiance of law, and carry on contraband trade. As proprietor of these islands prays that immediate steps be taken for the removal of these people. 414

...mber 10, ...ds. Stephenson to Shee. The Paymaster General sees no necessity to appoint Magistrates or Notaries Public to administer oaths to half-pay officers resident in Canada, and that there should be no alteration in the regulation respecting the appointment of Magistrates. 415

...mber 15, ...derwill. John Black to the Duke of Kent. Memorial, stating his services and asking for *employment in one of the dockyards of the United Kingdom*

1806.

Asia, Cape of Good Hope, Buenos Ayres, Malta, Gibraltar, Lisbon or any other places where his services might be required. Page 416

November 18, Quebec. Lamberton to Dyer, (extract). "We are still without either a Gov- "ernor or a Commander-in-Chief, and I am afraid there is a great deal "of animosity kindling between the English people and the French "people; which had we a man of ability at the head of the Government "might, I think, have been easily prevented, but I do not engage in the "politics of this country." 421

November 20, Whitehall. Lords of Trade to Shee. Had forwarded to the Commissioners of the Navy Dunn's information that Isaac W. Clarke had not received his commission of Inspector of Hemp, and now send the answer. 422

Enclosed. Answer, dated 18th November, that the commission had been sent on the 16th June and duplicates on the 29th July. 423

December 3, Portsmouth. Coffin to Windham. Calls attention to previous letter (p. 414) on the subject of a number of Frenchmen on the Magdalen Islands. Is axious to send out orders to his agent. 424

December 4, Quebec. Dunn to same (No. 24). Sends report of Council on the claims of Monk, while he was Attorney General. A warrant issued for £1,638 9s. 11d. as a final settlement. Sends also reports on Sewell's accounts, with copies of them. The Committee report that the sum due to Sewell is £2,099 0s. 2d. Refers to letter from Milnes on the subject of the suspended claims. A memorial from Mr. Justice Williams, on claims for acting as Attorney General when he was Solicitor General, is now under consideration; the reports shall be sent when ready. 227

Enclosed. Report on Monk's claims with statement. 230

Minutes of Council on Sewell's claims and other documents. 233, 239, 241

(The cases tried, &c., are given in detail.)

December 5, Quebec. Chief Justice Allcock to Shee. The lease of the St. Maurice Forges, formerly held at £850 a year, has been, by the want of precaution on the part of Dunn, sold for £60 a year for 21 years. The murmuring and dissatisfaction caused by this, as these rates had been given by His Majesty in aid of the expenses of the civil government. Monro & Bell have not yet got their lease, and he shall see that they do not until he can be satisfied that the sale can be ratified in a court of justice, and in the meantime he shall proceed slowly. In the meantime the President will not, he thinks, sign until he (Allcock) is satisfied that the Crown is bound. There is a great deal for a Chief Justice to do here; had found the courts of justice in great confusion, something must be done to re-organize them. There are other objects in which the Crown is interested that require great care, but they must wait till the Governor arrives, and should it be a new Governor he will have information ready. Should it be Milnes that will alter the matter, as he had no reason to think they would be on good terms; Milnes had treated him (Allcock) with great coolness in England, the only reason he could think of for this was that Milnes wished another gentleman appointed to the situation, but he would lay all that aside should Milnes arrive. The old accounts of Sewell and Monk as Attorney General examined, the latter paid, that of Sewell reserved, but it is justly due. Reported appointment of Lord Elphinstone to be Captain General; hopes that, if so, he will not pledge himself as to new appointments. The present puisné judges, Dunn and Williams, are both very old, but do not talk of resigning. Milnes, it is said, intended to have recommended the present Solicitor General to be made a judge; he is too young and inexperienced, and has not the least pretentions to expecting such a thing. 425

December 15, London. Chevalier de la Garde to ———. Sends papers respecting his title to a grant of land in Canada. His return to Russia, after obtaining the order for the grant, to arrange to bring away his family, prevented by the Ukase

that all travellers must be back by a certain time. The failure of the agent who had taken possession of his fortune, had left him without resources to cultivate the land, but he has a gentleman in view with capital if the grant is renewed, the amount specified, &c. Page 414

Enclosed. Proofs of his right to the grant, namely, letter from Sir Joseph Banks to Portland, 5th July, 1798. 437

Answer of same date. 433

Declaration by his father-in-law, Von Behen, 19th March, 1798, with official certificate. 438

er 18, Allcock to Shee. Death on the 16th of Duchesne (Duchesnay), one of the Executive Councillors, and the last mail brings a report that de Longueuil, another Councillor is at the point of death. These will make little difference, as both were old men and seldom attended. De Longueuil had £100 a year as Councillor which will go to the senior honorary member, Duchesne had no salary. Hope that the filling up of these vacancies will be deferred till after the arrival of a Governor. The question of replacing these Councillors by the appointment of English gentlemen should be considered. Hopes that a Governor will arrive in spring; he can prevent anything wrong being done in the meantime, but there are many objects requiring immediate active exertion. 440

er 20, Sir Joseph Banks to Shee (?) Returns the papers respecting de la Garde's claims for land. Has been confined to bed. 442

er 22, Dunn to Windham (24). Sends list of Legislative and Executive Councils, with attendance of the members noted. Death of Duchesnay and critical condition of Longueuil. Recommends St. Ours to succeed; his character and services. A P.S. of the 23rd reports that there is not and has not been any contagious disorders in the Province. 351

Enclosed. List of Legislative Councillors. 354

List of Executive Councillors. 355

er 44, Dunn to Windham (No. 25). Sends certified copy of rates of exchange and prices current at Quebec for November. 356

Enclosed. Prices current. 357

Petition of the widow of La Corne St. Luc for a pension the same as that allowed to other widows of deceased Colonels. 444

ACTING GOV. T. DUNN—1807.

Q. 102.

7. 20, Dunn to Windham (No. 26). Sends certified copy of rates of exchange and prices current for December. Page 2

Prices current. 3

21, Dunn to Windham (separate). Has granted Young six months' leave of absence; he has been very constant in his attendance as an Executive Councillor and also as a Master of Trinity House. Death of de Longueil at Montreal on the 18th inst.

30, Same to same (No. 27). Sends copy of his speech at the opening of the Legislature and addresses in reply. Hopes that the business will be proceeded on with zeal and unanimity, but is sorry to observe that five members only, including the Speaker, have as yet attended the Council and does not expect that more than two or three others will attend, notwithstanding the representations made to the members personally. 8

Enclosed. Copy of notice by Isaac W. Clarke, that he is appointed agent of Government for receiving at Montreal and by Lewis Foy at Quebec, all clean marketable hemp produced in Canada, 10, in French, 15, also 20 and 28. 10, 15

1807.

Speech by the Administrator, 11, in French, 16. Page 11, 16
Address of Council in reply to the speech, 21, in French, 30. 21, 30
Answer, 24, in French, 32. 24, 32
Address of the Assembly 25, in French 33. 25, 33
Answer, 27, in French, 35. 27, 35

February 12, Quebec. Brock to Windham. Transmits a proposal from Lieut. Col. John McDonald, (McDonell, see letter of Brock of 28th January, (original) of 28th January, transmitting the proposal, in Series C, Vol. 795, p. 58), for raising a corps of Highland Fencible Infantry in Glengarry. The advantages to be derived from such an establishment. The small force that is now in this country, which is insufficient to defend Quebec. This corps being on the confines of the lower Province would be always in readiness and useful in checking any seditious disposition. In event of invasion it could easily be transported to Quebec. A staff and sergeant would be required. It would be a prudent measure to appoint the Rev. Alexander McDonald, (McDonell) chaplain, the men being all Catholics; his zeal and attachment to Government; by his exertions the corps would soon be completed and form a nursery of hardy recruits for the Army. 38

Enclosed. McDonald (McDonell), Lieut. of the County of Glengarry, to Windham, dated 9th January. Proposals for raising a corps of Highland Fencible Infantry in Glengarry. It is almost entirely inhabited by Scots Highlanders; the valuable landed properties obtained through the munificence of the King are strong motives to bring their loyalty into action. The rapid increase of population and the situation between the Ottawa and St. Lawrence enable the corps to check any rebellious disposition or general combination that would be formed against His Majesty's Government. They are equally ready to enter into engagement of a more general and extensive nature of service, if found better calculated to forward the views of Government, even should it be deemed expedient to raise a permanent force among the Highlanders of those settlements for the defence of the Province, thus saving the expense of sending out troops and preventing numberless desertions to the United States. 39

Proposals. 41

February 17, Quebec. Dunn to Windham (No. 28). Had suggested paying Clarke a salary rather than a percentage on the hemp shipped. Lewis Foy, formerly military secretary to Dorchester, has been appointed Clarke's deputy; has the fullest confidence in him. To concentrate the business, Foy is to take charge of all the hemp and hemp seed raised in the district of Quebec in consequence of the Provincial Act of 1804, by which the Governor is empowered to apply £1,200 for the advancement of the culture of hemp. Clarke has taken upon himself the same charge in the district of Montreal. The greatest obstacle is the difficulty of obtaining hemp seed; every effort is making to procure a supply from the neighbouring States. It will be seen, therefore, that considerable attention and trouble will be necessary on the part of the agents. Steps are taking to supply Campbell with a sufficient quantity of cleared land to begin operations. 44

February 18, Quebec. Same to same (No. 29). Sends certified copy of rates of exchange and prices current for January. 48

Enclosed. Prices current. 49

March 16, Quebec. Dunn to Windham (separate). Had reported the death of Duchesnay (called Duchesne by Allcock, see Q. 101-2, p. 440), and also of de Longueuil. Has now to report that of Lees, also an Executive Councillor, who died at Montreal on the 3rd instant, so that there are now three vacancies in the Council. Has already recommended Charles St. Ours to succeed de Longueuil, now recommends Matthew Bell and Lewis de Salaberry for the other vacancies. The former is a merchant of the highest respectability, a candidate for the Assembly in Three Rivers,

807.

where there is little doubt he will be elected. High character of M. de Salaberry. Sends list of the present members of the Executive Council. Page 52

Enclosed. List of the Executive Councillors. 55

h 18, Dunn to Windham (No. 30). Sends certified copy of rates of exchange and prices current for February. 56

Enclosed. Prices current. 57

15, Dunn to Windham (No. 31). Sends certified copy of rates of exchange and prices current for March. 60

Enclosed. Prices current. 61

15, Dunn to Windham (separate). In order to fill up the vacancies in the Executive Council it has been the invariable custom to select the senior honorary members. In the case of the deaths of de Longueuil and Lees, the seniors are Young and Williams, whom he recommends. Repeats his recommendation to name Charles St. Ours, Matthew Bell and Louis de Salaberry as honorary members, in which he believes that Governor Prescott and Lieut. Governor Milnes would readily concur. 64

Same to same (No. 32). On the death of Lees, Storekeeper General for the Indian Department, has directed a survey to be made of all the Indian goods in store, previous to their delivery to the successor of Lees. Has appointed his step-son, Thomas Fargues to succeed; his qualifications. Until his arrival Thomas Douglas will act. 66

8, Brock to same. Had proposed to Dunn to use the Jesuit Garden for a parade ground, which Dunn would not officially consent to, but promised to shut his eyes to this use of it. The ground cleared of useless weeds and the troops paraded, followed by an official intimation that it was not to be used. Believes Dunn to be moved by interested representations on the part of people who expect to be benefited by the division of the ground and are impatient at every step which seems to involve their interests, however greatly it may promote the public service. Their hopes from the age of the President and his intimacy with the inhabitants that they are likely to sway him by any representation their avarice may prompt them to make. Refers to General Hunter's letter on the subject to Lord Hobart of 10th August, 1804, and encloses a plan (for plan see Q. 106-2, p. 432*a*). Shows the changes proposed. 68

10, Dunn to same (No. 33). Transmits copy of correspondence between him and Brock. Respecting the Jesuit Church, of whose condition he was apprised, but did not resolve to have demolished till the Commissioners had ordered a survey and a report was received. Did not consider that he should render an account to the Commanding officer of the troops, as they were no more endangered than other persons passing. Had sent copy of report to Colonel Brock, which, with letter and answer, is enclosed. Description of the situation. The esplanade, where the troops can exercise, is not five minutes walk from the Barracks and the Grand Parade, recently enlarged, is still nearer. The Jesuits' Garden is of such extent, that it might be divided, affording a considerable addition for military and leaving a valuable space for public purposes. Concerning the disrespectful manner in which Brock has spoken of the Commissioners for managing the Jesuit estates; their respectable character. The rest of the letter is a criticism of the tone of Brock's correspondence. 77

Enclosed. Schedule of the enclosures. 87

Figurative plan of the Jesuits' College and garden, &c. 88*a*

The correspondence referred to in Dunn's letter. 89 to 119

Dunn to Windham (No. 34). Refers to dispatch No. 24 of 4th December last, respecting the account of Williams for his services as Solicitor General; encloses letter enclosing the accounts, copies of the accounts and copy of the Committee's report, recommending payment to Williams of £519 9s., but advise that the report should be transmitted

1807.

to His Majesty's Ministers previous to payment. The account to Wil
has been suspended from time to time till His Majesty's pleasure
be known respecting Monk's account. That being settled, can
recommend payment to Williams, whose claims appear to be in
respect well founded. Pag

Enclosed. Williams to Dunn, 13th December, 1806, transmittin
account.

Accounts in detail. 124 t

Extract from the journal of the Committee on Public Accoun
10th April, 1789.

Synopsis of Williams' account.

Extract from the journal of Committee on Public Accounts, of
October, 1789.

Synopsis of account. 15

Extract from the journal for 10th April, 1791.

Details of account. 161 t

Report of Committee on 14th April, 1807.

May 11, Quebec. Dunn to Windham (No. 35). Sends copy of his speech in proro
the Legislature. The Assembly showed a more than usual degr
zeal, loyalty and unanimity. Only seven members attended the
cil, and never more than six at once. Remarks on bill for the rel
the insane and support of foundlings, amended by the Council
amendments refused by the Assembly, who send an address, co
which, with answer, is transmitted. Has, in the meantime, caus
vances to be made to meet the expenses absolutely necessary. H
doubt the Legislature will provide for this expense at its next sit
it would be the height of cruelty to throw the objects pro
for by the bill on the public. Encloses schedule of Acts passe
session.

Enclosed. Notice, 16th April, of the appointment of Isaac W. C
as agent, and of Lewis Foy as deputy for the purchase of hemp.

Notes on the cultivation of hemp in Russia.

The same documents in French. 20

Bill assented to, 16th April.

Speech at prorogation.

Report that addresses, &c., were delivered to the President (1
15th April).

The same documents in French. 218

Schedule of Acts passed during the session.

Reserved bill.

Bill for the relief of the insane and support of foundlings, as p
by the Assembly.

Amendments made by the Legislative Council.

Proceedings on the bill and rejection of the amendments by th
sembly.

Address by the Assembly praying that £1,200 currency be set
for the relief of the insane, &c., the Assembly engaging to mak
same good.

Dunn's answer that he will transmit the address, and in the
while authorize the necessary advances to be made.

May 13, Quebec. Dunn to Windham (No. 36). Sends certified copy of rates
change and prices current at Quebec for April.

Enclosed. Prices current.

May 13. Dunn to Windham (No. 37). Dispatches received. Shall atte
instructions as to Custom House should there be a vacancy.
appoint commissioners to administer the oath to officers on hal
Death of Fauce, Naval Officer at Quebec; has appointed Lewis F

1807.

the office. Presumes that no security is required, but if it is, Foy shall furnish it. Page 254

y 25, ebec. Dunn to Windham (No. 38). Sends copy of the correspondence between Brock and himself relative to the payment of the Indian Department in the Province, being of opinion that further orders will be found necessary to prevent misunderstanding. 261

Enclosed. Schedule of correspondence. 262

The correspondence from 15th April to 20th May referred to, six letters in all. 263 to 275

y 27, ebec. Brock to Castlereagh. Reports the loss of the February and March mails for Canada, by the upsetting of the canoe in the River St. John, on the communication between Quebec and Halifax. 276

ne 6, ebec. Dunn to Windham (No. 39). Remarks on the correspondence enclosed in dispatch No. 38, of 25th May, on the subject of the payment of the expenses of the Indian Department, respecting which there is a difference of opinion between him and Brock; minute details given. 277

Enclosed. Additional correspondence from the 3rd to the 5th of June. 290 to 297

ne 10, ebec. Dunn to Windham (No. 40). Calls attention to circumstances relative to the administration of justice in the Province. The illness and death of Judge Davidson and a sudden misfortune to Chief Justice Monk having prevented the sitting of the Court of King's Bench in Montreal in March last, he issued a commission of Oyer and terminer and general gaol delivery; at the court held from the 12th to the 15th May, John Smith and Joseph Barbary were capitally convicted and condemned to death. Chief Justice Monk personally delivered only the calendar at Quebec (copy sent), instead of the particulars of the trials and proceedings, as laid down in the law, the clauses of which are quoted. On reference to the Solicitor and Attorney General, they gave diametrically opposite opinions, and the case was referred to the Chief Justice. His unsatisfactory answer. With the contradictory opinions, he asks that the questions be referred to the Law Officers of the Crown. The crimes for which Smith and Barbary are condemned do not call for immediate execution, so that he shall grant them a pardon, under the authority of an opinion given him by the Chief Justice. In a P.S. it is stated that on the death of Justice Davidson, James Reid has been appointed a puisné judge for the district of Montreal, he having been made choice of by Milnes. 298

Enclosed. Commission, dated 20th April, of Oyer and terminer. 308

Commission of general gaol delivery, same date. 313

Calendar of all the prisoners tried and convicted at a Court of Oyer and terminer and general gaol delivery for the district of Montreal from the 12th to the 15th May. 316

Reference, dated 18th May, to the Attorney and Solicitor General, for report whether the special approbation of the President is necessary to sanction the sentences mentioned in the above calendar. 318

Opinion of the Attorney General, that the approbation is not necessary. 319

Contrary opinion from the Solicitor General. 322

Reference to the Chief Justice. 326

Opinion of Chief Justice, that if the President should pardon the prisoners, previous approbation of the sentence is not necessary. 329

ne 19, owning treet. Castlereagh to Dunn (No. 2). Sends copies of memorials from Sir Alexander Mackenzie and houses concerned in trade with the Canadas praying that provision may be made to render lands in the Provinces liable for the payment of simple contract debts. Sends also copy of the opinion of the Law Officers of the Crown on the subject. 335

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July 4, Downing Street. Castlereagh to Dunn (No. 3). Dispatches received. He is authorized to grant warrant to Sewell for payment of sum ascertained by Committee of Executive Council. Authority likewise given to pay Williams. His dispatch (No. 28) relating to hemp transferred to the Lords of Trade. Steps to be taken to keep faith with Grece. His Majesty's pleasure will be taken respecting the appointment of Young and Williams to fill the vacancies in the Council. The appointment of any honorary members will be for the present postponed. Members of Council receiving salaries are to be notified that regular attendance is expected. Will withhold approbation of the appointment of Fargues to succeed Lees, until a satisfactory account is received of the letting of the St. Maurice Forges for £60 a year, instead of the old rate of £850, which the lessees were willing to continue, £1,500 could have been easily obtained and a movement was in agitation to offer £2,000. Instead of appointing Foy to succeed Faunce as Naval Officer, the office should have been filled provisionally till His Majesty's pleasure could be known. Has not been able to enter into the unpleasant dispute between him and Brock, but has read sufficiently of the statement to express regret that Brock should have suffered himself to use improper language. Is of opinion that he is justified in drawing his salary as Judge whilst executing the duties of President of the Colony. Is desirous to know, as he has already had a contingent pension bestowed on him on his retirement from the Bench, whether he intends on the arrival of the Lieut. Governor to resume his seat or vacate his office of Judge. Page 256

August 8, Downing Street. Windham to Brock. Had received account of the differences (p. 68) between him and the Lieut. Governor respecting the Jesuit Garden and a representation from Dunn on the same subject. Had expressed his concern to Dunn that he (Brock) should have used expressions not respectful to him as the representative of His Majesty. The subject will be soon decided as a Governor will soon proceed to Quebec with full instructions. In the meantime Dunn is authorized to grant temporary occupation of the Jesuit Garden for the use of the troops. That he is to defray the expenses of the Indian Department as was done before he took command, the Civil Government being responsible for the expenditure. 74

August 8, Downing Street. Castlereagh to Dunn (No. 4). Dispatches received. Had acknowledged receipt of No. 33, and since then a letter from Brock on the same subject. Agrees with him (Dunn) in respect to the occupation of the Jesuits' Garden by the military as a parade that no transfer could be made without reference to the Secretary of State, and that there were more objections to its temporary occupation than had been stated. The subject has been referred to Generals Hunter and Mann and to Milnes, the latter doubts the necessity of granting the whole ground for the use of the military, the two former are decided that it is essential to the general defence of Quebec that almost the whole ground belonging to the Jesuits' College should be appropriated to military purposes. A new Governor General to be sent in room of Prescott; there appears to be no objection to allow Brock to use the garden for military purposes. Instructions sent as to the issue of warrants to meet the expenses of the Indian Department. Brock's natural misapprehension on the subject

ACTING GOV. PRESIDENT DUNN—1807.

Q. 103.

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24, Dec. Dunn to Castlereagh (No. 1). Acknowledges receipt of circular, &c. Shall communicate all that it may be necessary for him to submit for consideration.

27, Dec. Brock to same. That no warrants shall be issued for pay in advance to Staff officers, except in cases of unavoidable necessity. 3

28, Dec. Same to same. Shall, as instructed, furnish the Commissaries at Quebec and Montreal with quarterly returns of the number of the forces supplied, to accompany their accounts. 4

11, Dec. Dunn to same (No. 2). Calls attention to the correspondence respecting his drawing salary as Judge, whilst filling the office of Administrator, on which no decision had been yet given. (For decision see Castlereagh of 4th July, Q. 102, p. 260.) Urges the justice of his claim. 5

Enclosed. Copy of letter to Windham, 12th September, 1806, on the subject of his salary. 7

11, Dec. Dunn to Castlereagh (No. 3). Sends memorial from Crawford, Judge at Gaspé, with report of Council, recommending an allowance of £100 a year for travelling expenses and that he be recommended for an increase of salary. The salaries of the puisné Judges of King's Bench in Lower Canada were in 1800 raised from £500 to £750; that of the Provincial Judge of Three Rivers from £300 to £500, whilst that of the District Judge at Gaspé has remained at £200. The duties of Crawford deserve that his memorial should meet with favourable consideration. 10

Enclosed. Memorial. 12

Report of Committee on the same. 16

11, Dec. Dunn to Castlereagh (No. 4). Transmits copy of the proceedings of the Executive Council on matters of State and on Crown lands between 28th October, 1806, and 19th of June last. 17

Enclosed. Minutes, 4th December. Report on proposed remuneration to P. C. Desbarats as secretary to the Hemp Committee of Quebec. 18

Report on petition for leases. 19

(For names see alphabetical list.)

Report on statement of expenses incurred by James Campbell in coming from England and respecting leasing lands for his cultivating hemp. 20

Report on application from the Trinity House, Quebec, for an advance of money to complete the lighthouses on Green Island. 23

Order for Trinity House to purchase reflectors, &c., for the completion of the lighthouse. 24

Report on the accounts of Attorney General Sewell, formerly suspended until His Majesty's pleasure respecting them should be known. 24

Minutes, 20th December. Report on petitions for leases. 28

(For names see alphabetical list.)

Report on the proposed lease of the St. Maurice Forges. 30

Further on the same lease, recommending that a case be laid before the Attorney and Solicitor General for their opinion whether the Crown, under all the circumstances, is bound to grant the lease to Monro & Bell. 31

Minutes, 17th January, 1807. Report on Colonel Robertson's memorial for the reimbursement of his expenses for surveying and subdividing the township of Chatham. 32

Report on letter from Taylor, Deputy Secretary, respecting the leases of Crown and Clergy lands. 34

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Report on the petition of F. Ward for leave to purchase Crown lands in Wendover. Page 35
Further respecting lands for Campbell for the cultivation of hemp. 35
Report on the petition of J. Morgan respecting the seizure of goods belonging to himself and another. 37
Minutes, 4th March. Report on the proposed purchase of Heon's farm at Bécancour. 39
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Report on the Provincial revenue for twelve months, ending 5th January 1807. 46
Minutes, 21st March. Report on Public Accounts, with journal of proceedings from 21st October, 1806, details and tables. 49
Minutes, 29th April. Report on the accounts of Justice Williams, formerly suspended. 67
Report on the hire of the sloop "Rover." 69
Report on the terms proposed by J. Lambly for navigating a vessel that may be hired by Government for cruising in the St. Lawrence, during navigation. 70
Report on the proposal to appoint justices of the peace, Custom-house officers, &c., for the Magdalen Islands. 70
Report on proposed proclamation declaring the sum of £5,000 to be levied for the erection of Court-houses in Quebec and Montreal. Proclamation entered. 72
Minutes, 30th April. Report on the memorial of Judge Crawford, of Gaspé, for increase of salary. 75
Report on petition of W. S. Moore on behalf of sundry petitioners for reserved lots. 76
(Names not given.)
Report on letter from George McBeath, respecting an error in account of duties collected. 76
Report on letter from the Deputy Secretary, respecting the leases of Crown and Clergy Reserves. 77
Minutes, 14th May. Proposed advertisement respecting the Crown and Clergy Reserves adopted. 81
Minutes, 27th May. Report on application from George McBeath and William Lindsay for extra fees for work done after office hours in the Custom-house at St. John's. 82
Report on W. F. Scott's memorial respecting leases of Crown and Clergy Reserves. 84
Report on Campbell's account of expenses of passage and transport from England to Quebec. 84
Report on the expense of the *papier terrier*. 86
Report on the claims of Mr. Planté, Inspector of the King's Domain. 86
Report on letter from Isaac Ogden respecting patents for lands purchased from Government at public sale. 87
Report on claim of J. Lambly for articles furnished the "Caldwell." 87
Journal of proceedings of Committee on Lands, from 4th December, 1806, to 30th April. 89 to 96
Minutes on the same, 27th May. 90 to 100
(For names in the last two entries, see alphabetical list.)

July 16, Quebec. Dunn to Castlereagh (No. 5). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 10th October to 5th April. (The title, but no entries, in the quarter from January to April, navigation being closed. The first entry in the next quarter is on the 29th of April, see Q. 104, pp. 6*a* and *b*.) On the death of Faunce [illegible]

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appointed Lewis Foy to the position of Naval Officer; his efficiency. Page 101
Enclosed. Returns. 101*a* to *d*

ly 18, ebec.

Dunn to Castlereagh (No. 6). Sends exemplifications of the Acts passed last session and copy of the journal of the Council. Has reserved bill to authorize the association of persons as the Quebec Benevolent Society. Calls attention to Act to prevent the desertion of seamen, renewal of the Alien Act, with amendments, and Fisheries Act. 102
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(The title only given, the printed Statutes being already amongst the Archives.)
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uly 18, uebec.

Dunn to Castlereagh (No. 10, note says should be 7). Sends certified copy of rates of exchange and prices current at Quebec for June. Page 2
Enclosed. Prices current. 3

1807.

July 24, Quebec. Dunn to Castlereagh (No. 11, note says should be 8). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 5th April to 5th instant. Page 6

Enclosed. Returns. 6a to e

July 24, Quebec. Dunn to Castlereagh (No. 9). Has been preparing transcripts of proceedings relative to the lease of the St. Maurice Forges, subsequent to the reference to Council of 10th June, 1806, and to the report thereon, transmitted to Windham in dispatch No. 20 of 5th November last. Cannot expose the latent motives of the unofficial statement sent on the subject. The fief and seigniory of St. Maurice, including the forges, were originally leased to Conrad Gugy in 1783 for sixteen years, at £18 15s. sterling, as recommended by Council. In 1787, the remainder of the lease, with articles for carrying on the works, was sold by sheriff's sale to Alexander Davison and John Lees for £2,300 currency; in June, 1793, the residue was sold by Alexander Davison to his brother George, David Monro and Mathew Bell for £1,500 currency. These held under the original lease till its expiry in 1799. In 1798, the lease was extended, on the same terms, to the 1st of April, 1800, the report (dated 13th April, 1798) at the same time recommending that on the expiry of the extended lease, the seigniory, forges, &c., should be let for 99 years, at the highest rent offered by public competition, but this was not adopted and Milnes extended the term to the 31st March, 1801. The Batiscan Iron Work Company offered £500 per annum for one, two or three years, and the then lessees offered the same rent and even more for five years, if the lease were exposed to public competition. On the 17th April, Monro & Bell offered £550, with an obligation to deliver at the end of five years, when the lease expired, the buildings in perfect order and new buildings or improvements to the extent of £1,500. The opposite party offered £600 and when informed the proposed expenditure of £1,500 was a voluntary offer, increased the proposed rent to £800. Both were desired to put their proposals in writing and Monro & Bell having offered to pay £50 above any sum the Batiscan Company might offer, the lease was adjudged to them at £850. This statement is given to show how the rival parties were brought upon to offer such high terms. Before the expiry of the lease, public notice was given that the premises would be let for a term of 21 years by public auction on the 11th June, 1806, on conditions stated, one of which was that the new lessees were to pay to the old a sum to be settled on, for the moveable property, not to exceed £4,000. Before the sale he (Dunn) asked the advice of Council whether or not directions should be given to the auctioneer not to sell below a certain rent, but the Council merely recommended that the sale should be postponed from 11th June to 1st October. On that day there was a larger concourse than usual, but the lease was knocked down to Monro & Bell, the highest bidders, for £60 per annum. The lease ordered to be prepared; the interposition of Chief Justice Allcock, the reference to Council and their report, that they connot advise that the lease be granted, until instructions be received from His Majesty's Ministers. Order received from His Lordship to have an examination of all the circumstances made by the Council and a full report transmitted. Copy of the representations on the subject by Monro & Bell is transmitted with the other papers.

Enclosed. Seven documents, namely :—

A.—Copy of a reference to a Committee of the whole Council, concerning the lease of the St. Maurice Forges, 10th June, 1806.

B.—Copy of reference and reports of 13th and 17th December, 1806.

C.—Copy of the case drawn up by Chief Justice Allcock.

D.—Copy of first opinion of the Attorney and Solicitor General, 2nd March, 1807.

1807. E.—Copy of second opinion, 14th May, 1807.

F.—Copy of Council minute, 20th June, 1807, containing the reports of 5th and 20th May.

G.—Copy of memorial of Monro & Bell, dated 8th July, 1807.

The above schedule at page 14, the documents from page 15 to 53. Page 14 to 53

25, Brock to Castlereagh. Transmits communications that passed between
bec. him and the President relative to the military situation of this country. The minutes of Council will show the inadequacy of the militia law to afford assistance to the regular force and the degree of dependence to be placed in the population. Can from his own observation assure His Lordship that a respectable force could be trained and rendered useful were the least encouragement given to the spirit that pervades class to volunteer. These might be entrusted with arms, but an indiscriminate distribution would be dangerous. His opinion of the weakness of the works is consonant to the opinion of the officers of Engineers and Artillery. Had declined to issue pay and provisions to the militia if called out, as that was done by the Provinces. The fact that there is a balance of £30,000 in the civil chest, and the ease with which his error might be remedied, had he fallen into one on this subject, had induced him to be so positive. 54

Enclosed. Brock to Dunn (dated 17th July). Cannot contemplate the intelligence received by the last post, without calculating the means of defence should a rupture take place between Britain and the United States. The latter Government have already adopted measures inimical to Great Britain, and the result of discussion on certain points will determine the question of peace or war. As it is at least possible that war may ensue, conceives it his duty to call attention to the military position. The militia now armed and in any way instructed dues not exceed 300, as many thousands might easily be selected and formed into corps. Such a force with that from the adjoining Province (Upper Canada) and the regular troops would create a force, that if it could not effectually stop, could at least impede the approach of the enemy to Quebec and in such a climate delay is everything. Without such a force the regulars could not leave Quebec and the enemy could move unmolested. Whilst every American newspaper teems with violent and hostile resolutions and associations are found in every town to attack the Provinces, every loyal subject should come forward to show his zeal. Precautionary measures can only be inconvenient to individuals, but he is confident they are ready for sacrifice in so sacred a cause. A subject of more importance, not admitting of procrastination is that of the defences of Quebec, which he proposes to have repaired before the close of the year. 56

Minutes of Council, 22nd July, in reference to the proposals contained in the preceding letter from Brock. 60

Brock to Dunn, 23rd July. Had no intention to assume a political character. His sole object was to state the assistance required by the military. Is disappointed at the information sent in the reply to his letter, but believes that voluntary offers of service will be made by a considerable number, and even now several gentlemen are ready to come forward and enroll into companies. 63

28, Dunn to Castlereagh (No. 10). Sends copy of the report of Council
ec. respecting the St. Maurice Forges. 65

Enclosed. Report of Council, giving a history of the circumstances connected with the lease. 66

Notice of the sale (see p. 44). Title only given here. 73

28, Dunn to Castlereagh. Sends copy of the lease of the forges of St.
c. Maurice, referred to in report transmitted in letter No. 10 of this date, but not prepared in time to be put up with it. 74

1807.

Enclosed. Copy of lease. Page 75

July 28, Quebec. Dunn to Castlereagh (No. 11). Transmits copy of the proceedings of Council on a representation made by Brock for extraordinary assistance to enable him to put the fortifications of Quebec in a proper state of defence. 84

Enclosed. Report of Council (dated 25th July), that without definite information as to the probability of a war the Council can form no judgment on Brock's proposals. The Council has no doubt that should circumstances call for it, the Executive Council would co-operate with Brock. In the meantime he must be aware of the means he possesses, as commanding the troops, to hire labourers and workmen, if the exigencies of the service require it, without the concurrence of the civil Government and voluntary assistance, as suggested by Brock, would be cheerfully given, and there is no doubt that the offers of this nature would be accepted by the Executive Government. 85

The reference and proceedings of the Council on the subject. 88 to 103

August 3, Quebec. Dunn to Castlereagh (No. 12). Transmits copies of papers respecting a suit against the deceased William Grant for sums acknowledged to be in his hands from bills of exchange negotiated for Government, as deputy of Sir Thomas Mills, Receiver General. Enumerates the papers sent. The Attorney General will, of course, report the proceedings to the Solicitor of the Treasury. 104

Enclosed. Attorney General Sewell to Ryland, 26th June. Has obtained judgment for £8,756, against the representatives of the late William Grant, for balance due by him on bills of exchange negotiated by him as Deputy Receiver General, but the claim for the penalty on the bond was dismissed, so that the judgment is for £10,000 less than the demand. Is not dissatisfied with the judgment; should, however, an appeal be thought expedient, requests it may be signified to him. 107

Ryland to Sewell, 29th June. That an appeal is not thought desirable, but as a memorial has been presented by Richardson, executor for Grant, which he (Dunn) intends to send through the Secretary of State to the Lords of the Treasury. Asks that he (Sewell) draw up a particular statement of the case that may be forwarded with the memorial. 109

Statement by Sewell, as requested in the preceding letter. 110

Memorial by Richardson, executor for Grant. 119

August 3, Quebec. Dunn to Castlereagh (No. 13). Has issued a proclamation appointing certain justices of the peace to administer the oaths required from officers on half pay. Sends list of these and of the officers who have returned their names to the Governor's Secretary. 125

Enclosed. List of justices of the peace, 126; French, 128. 126, 128

Return of half-pay officers who have sent in their claims to the Governor's Secretary. 129a

Regulations by the Paymaster General, in English, 130; in French, 135. 130, 135

August 5, Quebec. Dunn to Castlereagh (separate). Calls attention to Brock's letter about the militia and the proposed strengthening of the fortifications of Quebec. His surprise, after the annual labour of so many years on the works, to learn from Brock of their defenceless condition. The unpopularity that would be caused by calling out the militia for work on the fortifications, but if properly managed, the militia will not only make effectual resistance to hostile attempts, but will contribute in a very essential degree to offensive operations. The militia showed a strong disinclination to be called out in 1795, and this was reported to Brock, as a caution, with an inquiry if he would strengthen the hands of Government to carry into execution the measures ordered. Had also informed him that the militia, when embodied, were by law entitled to the same pay and allowances as the King's troops, and that no funds for this pur-

pose were at the disposal of the Civil Government. Of this last statement Brock took no notice, but in reference to a possible disinclination on the part of the militia for the particular service proposed, appeared to abandon the idea of obtaining assistance from the militia, taking it for granted that the population would rather add to the number of the enemy. The Council had, therefore, explained that the calling out a certain number of militia would not produce a general spirit of resistance, but merely that defaulters might be found in cases. Quotes and comments on the clause of the Militia Act which gives power to call out only 1,200 men, and that he has no information to justify him in going beyond that number. When answers to his circular are received from the colonels of militia, he shall give the necessary orders to have the 1,200 men trained, as provided by the 40th section of the Act. Page 140

Castlereagh to Prescott. That from present circumstances it is the Royal intention to send out an officer to succeed him (Prescott) in the government of the North American provinces. Trusts he will feel in its true light the necessity for an arrangement which may interfere with his emoluments. 147

Brock to Castlereagh. Had received circular to discontinue the letting of canteens for the emolument of officers holding military command. Such a practice does not exist in this command. 148

Dunn to same (No. 14). Sends certified copy of the rates of exchange and prices current. 149

Enclosed. Prices current. 150

Note from Sir J. H. Craig. Has observed, on reading over the Quebec correspondence. very few points on which he requires particular instructions. He prefers waiting till he can obtain more perfect knowledge of the situation, so that he could present his views to the Ministry. The points alone on which he would wish for directions arise from the precarious situation with regard to America, which may come to a crisis before there could be any communication with His Majesty's Government. The little probability of making effectual resistance at any other point than Quebec in case of an attack on the Province. Even there, Castlereagh appears to doubt the propriety of prolonged resistance. Would be glad to have instructions on the subject. Will the raising of independent companies be approved of? Is aware of the inefficiency of militia during the late war, but such companies as he proposes may be kept efficient in point of numbers, though it will require experience to tell how far their services will be of value. To what extent should he proceed in completing the defences of Quebec? Should he have a more than usual latitude in this respect can promise that it be met by the strictest regard to economy and restricted to what is necessary. His position towards the Lieut. Governor of Upper Canada, and how far he should be under his (Craig's) control. 153

Second note undated. Respecting the control of the Indian Department, which he finds rests with the Lieut. Governor of Upper Canada. Should the intercourse with these people not be considered as more military than civil and conducted as part of a uniform system. The importance of the question in certain eventualities. 157

Castlereagh to Craig (No. 1). Sends commission appointing him Captain General and Governor-in-chief for Upper and Lower Canada, with instructions. 159

Same to same (No. 2). Out of £6,000 for the support of the Governor General and of the Lieut. Governor of Lower Canada, he (Craig) is to receive £4,500, leaving £1,500 for the Lieut. Governor. Alexander Forbes to be Lieutenant Governor of Gaspé. 160

Same to same (secret). Under the present circumstances he has been appointed Governor General and Commander of the forces in North

1807.

America. By firm and moderate conduct of Government it is hoped the United States will adhere to a pacific system, and every effort consisted with honour shall be made to prevent a rupture. If disappointed, vigorous measures to be adopted to bring the United States to reason. The measures to be adopted and points to be guarded. Page 161

September 5, Downing Street. Castlereagh to Craig (No. 3). The saving effected during the absence of Milnes, in the salary of Lieut. Governor, is to be paid to him at the rate of £1,000 a year, from the 5th of January, 1805, till the date of his (Craig's) arrival. 163

September 15, Quebec. Dunn to Castlereagh (No. 15). Transmits additional proceedings of the Council respecting the calling out of the militia. Asks that attention be paid to the minute. Summary of correspondence with Brock on the subject, copy of which is enclosed. His reasons for conducting the discussion by letter rather than verbally, so that the reasons on both sides might be of record. On the assurance that Brock would issue arms, had called out the militia for a general review, and ordered one-fifth to be in readiness for actual service. The conduct of the militia, with few exceptions, has been such as merits the highest commendation, and he hopes that it may procure some signification of His Majesty's approbation, as nothing would be so flattering to His Majesty's Canadian subjects. Is still without intimation of a hostile disposition on the part of the United States, so that he had not adverted to that as the ground for calling out the militia, though such a declaration would be an additional stimulus to the zeal and energy of the Canadians. Urges, however, the speedy combination of the civil and military command, otherwise the most favourable movement for carrying the militia law into effect will be lost. Will use his best efforts to convert the present loyal disposition to solid purpose. Has, therefore, specially summoned the members of the Executive Council to meet on the 25th instant, to consult as to the best means to adopt and decide how far it would be proper to incur expense for embodying and training a certain portion of the militia. In a postscript dated the 16th, it is stated, that by a dispatch from Admiral Berkeley, it appears that war is inevitable. (A copy of this dispatch is in C. 676, p. 19.) 169

Enclosed. Report of the Executive Council, dated 12th August, 1807, on the statements and representations of Colonel Brock in his letter of 17th July. (For previous proceedings of Council on this letter, at the meeting of the 25th July, see p. 85.) The proceedings include letter to the Colonels of militia and answers, copies of correspondence with Brock, observations by Dunn to the Council on the same, &c. (p. 176); continuation of the proceedings, 19th August (p. 190), respecting the propriety of preventing the exportation of gunpowder and abrogating certain parts of the Act regulating commerce with the United States. 176, 190

Dunn to Brock, 18th August. For how many of the militia can he furnish arms? 199

Brock to Dunn, 18th August. That 5,000 stand of arms shall be issued from the King's magazines, so soon as he is informed that that number of militia or any part is embodied. A great number of arms had been previously issued, 1,200 stand so late as 1801 and 1804, which he presumes are safely lodged. It is desirable that steps should be taken for the return of arms issued when that shall be thought necessary. 200

Order, 20th August, 1807, calling out the militia to be reviewed. 201

Order, 9th September, to the same effect, 202; in French, 204. 202, 204

September 30, Quebec. Dunn to Castlereagh. Sends certified copy of rates of exchange and prices current at Quebec for August. 205

Enclosed. Prices current. 207

Dunn to Castlereagh (No. 16). Has in accordance with instructions issued warrants for payment of sums due Sewell and Williams. Had appointed a committee to examine the progress made by Grece in the cultivation of hemp; shall send report. The accounts shall be examined; the liberality with which Grece has been treated. Comments on the report that lease of the St. Maurice Forges might have been sold for £1,500 or £2,000 a year. The public is to be congratulated on the combination to pay the latter sum having fallen through. Sends the deed of partnership and describes the character of each partner individually, with his pecuniary circumstances. Page 210

Enclosed. Notarial deed of partnership (in French) referred to in letter, with the conditions of the co-partnery. 218, 234

Dunn to Castlereagh (separate). Thanks for liberality in respect to his salary as judge, would have retired from the Bench but for some heavy pecuniary losses, which would render a diminution of his allowance a serious disadvantage to his family. The reduction of the value of his stock in the Batiscan Iron Works has also lessened his means, but he would retire at once were half his pension to be continued to Mrs. Dunn after his death. Recommends George Hawdon for the vacant office of Storekeeper to the Indian Department. 235

Castlereagh to Craig (No. 4). Transmits extract of letter from Cottrell, Secretary to the Privy Council, that Act to authorize Jacques Lacombe to build a bridge over the River L'Assomption has not been laid before His Majesty. Twenty-four Acts (titles given in full) do not appear liable to any objection. 238

Duun to Castlereagh (No. 17). Dispatches received. Shall consult the judges and law officers as to the necessity of obtaining legislative provisions to render lands in the Province liable for the payment of contract debts. That, however, has been customary in Lower Canada. Had sent extract to Brock from dispatch stating that it was the intention to send out a Governor General. 244

ACTING GOVERNOR T. DUNN—1807.

Q. 105.

Dunn to Castlereagh (No. 18). Transmits copy of proceedings of the Executive Council on State business from 13th May and on Crown lands from 27th May, both to 25th September. 2

Minutes, 20th June. Case for opinion of Council respecting the lease of St. Maurice Forges. 2

Opinion of the Attorney and Solicitor General. 7

Report of Committee on the same, referring the opinion again to the Law Officers. 10

On the 27th May, the Council decided that it could not advise the granting of the lease until further instructions were received from His Majesty's Ministers, which was agreed to. 11

Memorial of the Clerk of the Executive Council, respecting his fees of office. 12

Report on the same. 14

Report on a memorial of the Inspector of the King's domains for an increase of salary. 18

Report on the petition of W. Barnard and C. Gee for lease of Crown and Clergy Reserves. 19

Report on memorial from Capt. Cheshire, 49th Regiment, to be released from a fine. 20

Further report on Ogden's patents for lands. 20

1807. Minutes, 20th July. Report on the joint petition of Louis Dunier and Peter Brahaut relative to *lods et ventes* due by them to the Crown Page 2

Further respecting Ogden's patents for lands, with correspondence 22 to 2

Order-in-Council respecting the Trinity House of Quebec. 2

Report on the petition of G. Chapman, clerk of the market at Quebec for a salary. 2

Abstract of disbursements incurred by the Trinity House, Quebec. 2

Respecting communication of Brock of 17th July, respecting possibilities of war. (See for correspondence, &c., Q. 104, pp. 56 to 63.) 3

Minutes, 22nd July. Further respecting Brock and military preparations. 3

Other proceedings on the same subject. 37 to 5

Further report on the St. Maurice Forges, dated 25th July. 5

Report on Campbell's claim in connection with hemp culture. 6

Order for regulating the delivery of gunpowder belonging to private individuals, which has been lodged by them in His Majesty's magazines. 6

Report respecting the calling out of a proportion of the militia (70). Correspondence with Brock (74). 70, 7

Minutes, 18th September. Jacques Delezenne sent to gaol for treasonable practices. 7

Minutes, 19th September. C. Baptiste Bouc brought before the Council and on the 25th sent to gaol on a similar charge. 7

Minutes, 25th September. Report on the memorial of Foy, Naval Officer, for an assistant. 7

Report on application of F. Ward, for leave to purchase in Wendover 7

Report on Penoyer's report on laying out a road. 7

Report on the progress made by Grece in the culture of hemp, with proceedings. 80 to 8

Minutes on Crown lands. 87 to 9

1807. October 16, Quebec. Dunn to Castlereagh (No. 19). Sends Naval Officer's returns of vessels entered and cleared at Quebec from 5th July to 10th instant. 9

Enclosrd. Returns. 98 to 10

Applicants for Lands in this Volume.

(The figures after the names show the pages.)

B.—Banet, Oliver, jun., 95; Barnard, Wm., 19.
F.—Fingland, Thomas, 95.
G.—Gee, Christopher, 19; Green, Benjamin, 95.
H.—Hibbard, Benjamin Doolittle, 95.
L.—Laforce, Pierre, 90.
Mc.—McGill, James, 89, 90.
S.—Sevigny, Etienne, 93.
W.—Ward, Felix, 78.

Townships.

H.—Hamilton, 91, 92, 94.
M.—Melbourne, 93.
S.—Stanfold, 91; Stanstead, 91.
W.—Wendover, 78.

GOVERNOR CRAIG AND MISCELLANEOUS—1807.

Q. 106—1.

1807.

anuary 6, ...rse Guards. Gordon to Shee. Transmits, by order of the Commander-in-Chief, memorial from Colonel Bowes, claiming remuneration for the heavy expense incurred by him, when in command after the death of Hunter, to be submitted for the favourable consideration of Windham. Page 32

Enclosed. Memorial from Colonel Bowes. 33

anuary 10, Treasury. Treasury (Geo. Harrison) to Cockburn. Encloses letter from the Treasury in answer to one from the Secretary at War, respecting an application from Mrs. La Corne St. Luc for a pension. 36

Enclosed. Secretary at War, referred to, that as no documents have been transmitted to show that Mrs. La Corne St. Luc's husband had been colonel of several tribes of Indians, he is not aware of any just claim she has to a pension. 37

anuary 31, Chatham. Chevalier de la Garde to Cockburn. That he had been compelled, owing to his reduced circumstances, to accept a place as a German teacher. Asks that the quantity of lands he is to receive shall be settled. 38

anuary 31, Quebec. Allcock to Adam Gordon. Introduces Bouchette and asks that he may be procured an interview with Shee in respect to his salary. 39

ebruary 1, Quebec. Same to same. The papers respecting the claims of Sewell have been sent some time ago. He has been ill-treated by the delay. Hopes that an order will come out for payment. 40

ebruary 6, London. Duke of Kent to Shee. Transmits four papers from John Black. 1. His application. 2. A short recapitulation of the heads of his case. 3. Note from Lieut. Col. Vesey, then secretary to His Royal Highness, enclosing, 4. Assurance of King that Portland had approved and sanctioned what he (the Duke of Kent) had recommended for Black. Strongly urges the claims of Black, whom he highly esteems, and regards his reduced circumstances as nearly a disgrace to Government. The salary for the place of bateau master and measurer of timber would be provided without expense to Government. 41

Enclosed. Application by Black for the place of bateau master, &c. 43

"An explanatory letter of my (Black's) petition and present condition." States his services, &c. The document is addressed to General Wetherall. 45

Copy of Lieut. Col. Vesey's letter. 50

Copy of King's answer to Vesey, that Portland has given such directions as cannot fail to benefit Black. 53

(The last two letters are dated in 1798.)

ebruary 10, London. Recommendation by the Duke of Kent in favour of de Salaberry to succeed Duchesnay as member of the Legislative and Executive Councils, stating his services. 58

ebruary 11, London. Memorial of merchants trading to Canada, praying to have an Act passed to make lands liable for simple contract debts. 51

A second memorial, dated the 12th, states that the laws as to the liability of real estate for the payment of personal debts, are different in the two Provinces. That in Lower Canada, the French law, still existing, subjects real property to the payment of personal debts after the moveable has been exhausted, but it is difficult of enforcement. In Upper Canada, so much doubt exists, that many cases are pending and should the law declare real estate exempt, it will destroy the credit hitherto given to the incalculable loss of both Mother Country and Colony. The memorial prays for the enactment of a law to make real estate liable for personal debts, &c. 54

1807.

February 20, London. Black to Gordon. Had been referred to him by Sir George Shee to put his claims to the two islands—Ronde and Degrasse opposite Sorel—in a fair way to be settled, they having been granted to him eight years before. Grand Isle is in the lower part of Lake Ontario, between Kingston and Carleton Island, and for that a patent must issue from Gore, Governor of Upper Canada. How another island had been granted to a person who had rendered no services. Respecting his appointment to superintend His Majesty's shipyards, measure the timber, &c., it would save £5,000 a year. Prays for the three islands and for the situation mentioned. Page 60

Enclosed. Index papers (64), the papers themselves (65 to 78). 64 to 78

The trial of David McLane for high treason at the City of Quebec, 7th July, 1797. (The trial, with evidence, &c., is given in full.) 79 to 320 in Q. 106-2

October 20, Quebec. Craig to Castlereagh. Sends requisition for stationery for the civil departments of Lower Canada. 2

Enclosed. Requisition. 3

November 9, Quebec. Craig to Castlereagh (No. 1). Had been unable from illness to write when the packet was made up for the fleet on the 26th ulto., except a private note to announce his arrival. Is now better. He had landed on the 18th but could not take the oaths till the 24th and then in his bedroom. Would have preferred a more solemn ceremony, but for the possible risk of inconvenience to public business. The muster of the militia, called a review had taken place, and he was assured that the disposition was commendable, except in a few cases; cannot yet form his own judgment of how far these may detract from the favourable side. No returns have been made of the actual numbers that presented themselves; the fifth ordered to hold itself in readiness amounts to nearly 7,500, making the total something about 37,000. No orders given to call out the fifth; it does not appear possible to put the measure into execution this season with the least hope of benefit, with respect to rendering them of more use than they would be called upon in spring; the calling them out now would be attended with a heavy expense and probably occasion dissatisfaction. Has little knowledge on the subject, but it appears to him to be replete with difficulties. In the meantime, asks for a supply of necessaries; a considerable supply of small arms wanted, the present stock is about 7,000; Upper Canada has lately received from this Province 4,000 or 5,000, but they cannot be spared. For both Provinces an addition of 7,000 wanted. There are no accoutrements, without them no selected body of militia can serve effectually; they are probably in the same situation in Upper Canada; at least 10,000 wanted. Other articles mentioned. Was pleased on his arrival to find that Brock had not hesitated to order the completing of a wall round the precipice that separates the upper from the lower town. Before the working season returns he shall be able to consider what is required and communicate. The regard and esteem in which Dunn is held, particularly by Brock, who speaks of him highly. Believes that in respect to the lease of the St. Maurice Forges Dunn's conduct would stand the severest test. At his age (77) was not surprised that in his last dispatch he had not placed his case in the strongest point of view. It was true that a set of adventurers had agreed to offer £1,500 or £2,000, but had given up the project and never appeared at the auction. The creditable manner in which Brock conducted the military command; his disagreement with Dunn was a subject of regret to both and he found them on the best terms with each other. Este has presented his *mandamus* as Naval Officer; regrets the disappointment to Foy, who is a deserving man and has given satisfaction. Had received notice of the appointment of Forbes to be Lieut. Governor of Gaspé. Fargues having

1807.

declined the appointment of Storekeeper to the Indian Department, has appointed Hawdon, who has been for seven years in the Secretary's Department and is well qualified for the duties of the office. Has communicated his arrival to His Majesty's Minister to the United States, but has not yet heard from him, or from the Lieut. Governor of Upper Canada. Page 5

mber 10, ec. Same to same (No. 2). Sends requisition for a supply of goods for the Indian stores. 13

Enclosed. Requisition. 14

mber 10, ec. Craig to Castlereagh (No. 3). Sends requisition for stationery for the use of the Indian Department. 16

Enclosed. Requisition. 17

mber 10, ec. Craig to Castlereagh (No. 4). Sends certified copy of rates of exchange and prices current at Quebec for October. 19

Enclosed. Prices current. 20

mber 17, ec. Craig to Castlereagh (No. 5). Transmits memorial of Mrs. Le Maistre, widow of the late Lieut. Governor of Gaspé. She is entirely dependent on an aged mother, widow of Lieut. Governor Cramahé, and two daughters, married to officers in the army. Recommends that she receive an adequate allowance. (Mrs. Cramahé received a pension of £150, the warrant stating it to be given "as widow of the late Hector "Theophilus Cramahé, Lieutenant Governor of Detroit, pursuant to an "order of the Lords of the Treasury, signified in Mr. Secretary Rose's "letter of 31st May, 1790." Cramahé took the oath of office on the 12th of October, 1785, but, so far as can be traced, never entered on the government of Detroit. The last warrant for his salary is dated 1st May, 1787.) 23

Enclosed. Mrs. Le Maistre's memorial. 25

ber 14, ec. Craig to Castlereagh (No. 6). Sends certified copy of rates of exchange and prices current at Quebec for November. 27

Enclosed. Prices current. 28

GOVERNOR CRAIG AND MISCELLANEOUS—1807.

1807. Q. 106-2.

The first part, from page 292 to page 320, contains the conclusion of McLane's trial.

h 7, lin's Inn. Attorney and Solicitor General to Windham. Cannot recommend a bill to Parliament at present respecting the liability of lands for the payment of contract debts. Should such legislation be necessary, the Provincial Legislatures should be asked to adopt the measures best calculated for the object proposed. Page 321

h 9, c. Sir John Johnson to Windham. Transmits correspondence with President Dunn on the subject of the appointment he recommends to fill the vacancy caused by the death of Lees, of Storekeeper General of the Indian Department. 324

Enclosed. Sir John to Dunn 7th March. Recommends his son to succeed Lees, and Patrick Langan to succeed to the office of Secretary of the Indian Department. Should there be objections to his son, recommends that Langan be made Storekeeper General. 327

Dunn to Sir John, 8th March. That he has appointed his son-in-law, Fargues, to the vacant office. 330

h 14, ury. Treasury (Harrison) to Cockburn. Transmits further documents respecting a pension to the widow of La Corne St. Luc. 332

Enclosed. A. Lenox to the Secretary at War, 19th February, with La Corne St. Luc's commission. 333

1807.

Secretary at War to Harrison, 5th March. Has received commission, &c., but for want of information of La Corne's death, &c., cannot decide on the widow's claim. Page 334

March 16, Cockglade. Milnes to Shee (private). Had received correspondence respecting Black's claims. He had received the grant of the township of Dorset, amounting to 53,000 acres, which it is believed he sold for a considerable sum, but was unfortunate in business. Had always understood that he was satisfied with his compensation, but should his present distress, &c., lead to his obtaining a further reward, can only add that his services were of the first importance. Objects pointed out in Black's memorial are all in the military department, including the seigniory of Sorel. Respecting the position of the late Mr. Duchesnay, the Duke of Kent has been misinformed, as he was only an honorary member of the Council; its composition, the importance of a proper choice as it is a court of final appeal in the Province. The peculiar situation he holds with respect to the recommendation for the office of Lieut. Governor of Gaspé. His reasons for recommending Forbes for that office. The powers under which he (Milnes) acted whilst at Quebec. 335

Enclosed. Extract from the King's instructions relative to filling up vacancies in the Councils. 342

Milnes to Camden, 18th February, 1805, announcing the death of Le Maistre, Lieut. Governor of Gaspé, from whose illness affairs there have suffered and recommending Alexander Forbes to succeed, for whose abilities he can vouch. 343

March 17, Chatham. De la Garde to Cockburn. Respecting his request to be informed of the number of acres he is entitled to by his grant. 345

March 18, Downing Street. Substance of letter, Windham to Milnes. That he could hold out no hope for a retrospective allowance, nor for the addition in future of an addition to the salary, should he return to Canada. 347

March 19, London. Black to Gordon. Should any part of his claims not be clearly understood, shall be happy to explain fully. The points to be made clear are given in detail. 348

March 20, London. Same to same. Entreats that his case may not be referred to the jarring counsels and jealousies that generally exist between governors and commanders of the forces, as that was the chief cause why His Majesty's gracious intentions were not long before carried into effect. 350

Enclosed. Extract of letter from Portland to Prescott, dated 1st August, 1798, authorizing him to make a grant of land to Black in accordance with his services. 351

April 11. Abbé Calonne (in French). Applies for a renewal of leave to go to Canada, granted at the beginning of August, but which he could not make use of till spring. Has sent all his effects to Canada and as the ship in which he has taken passage is to sail on the 15th, asks for a speedy answer. 352

Enclosed. Abbé Calonne to Lord Castlereagh (in French). That the Marquis of Hertford had promised to speak on his behalf. His brother is known to Portland and had been granted lands in Prince Edward Island. Asks for a renewal of permission to go to Canada to end his days there, having been asked by the Catholic Bishop to come there, where his services were supposed to be useful. Milnes was opposed to his being there, but Windham after full investigation thought it right to give permission. Other considerations in support of his request. 353

Calonne to Hertford, 7th April (in French). Asking his influence with Castlereagh for permission to go to Canada and to have his allowance continued. 356

April 13, Horse Guards. Gordon to Cooke. Transmits by order of the Commander-in-Chief, to be laid before Castlereagh for favourable consideration, a second memorial

from Colonel Bowes, on the subject of his claim to remuneration for the extra expense and responsibility he incurred whilst in command of the troops in the two Canadas. Page 359

Enclosed. Bowes to Gordon, 12th April. Sends a second memorial, the 1st battalion of the 6th regiment, which he commands, being ordered for embarkation. 360

Memorial. Introduction only, the rest of the memorial, a repetition of the first, is in Q. 106–1, p. 33. 361

Thmoas Edward Brown to Castlereagh. Two young men, chiefs of the Iroquois from the village at the Lake of Two Mountains, and a chief's son from Lorette have arrived to present a petition for some lands formerly belonging to these villages. They had consulted no one respecting this visit, and came addressed to a friend of his in Liverpool, who had sent them on to him. They are in want of every necessary and look to the King as their father and protector of their tribes. The young man from Lorette is personally known to the Duke of Kent. 363

Memorandum on three Iroquois Indians, who have arrived to claim lands at the Lake of Two Mountains and at Lorette. They are without money or clothes. The only credentials they have is a paper, purporting to be the result of a meeting of chiefs. 362

Brown to Cooke. Had impressed on the Indians the impossibility of anything being done in their case, except by reference to the Executive Government of Canada. If the King had the power to grant their request, the lands, he (Brown) thought, would only be granted to be subdivided so that each family might have its separate lot, not to be transferred for a period to be fixed on. This would keep out vagrants, and if a sale could not be made for liquor, it would tend to improve their moral habits and private industry. If these lands could not be given, owing to previous grants, land might be given in some other situation on the same terms. The Indians seemed pleased at this, and said these terms would meet the approbation of the villages. These Indians have full authority to act for the rest, and have asked him to propose anything to His Majesty's Government which might conduce to the general interest of their tribes. They are accustomed to husbandry, and if the lands were restored to them, they would only need a very trifling assistance, in the case of new lands they would require the same as is given to European settlers. 366

Statement of their case by the Indians. 369

Milnes to Gordon. Asks that the meeting be deferred till he can look over some memoranda. 371

Neville to Stewart. That Mann's report on the defences of Quebec was submitted, with the plans, to a Committee of Royal Engineers, and transmitted to Camden, with a letter from Chatham, on the 5th of July, 1805. 372

Gordon to Cooke. By direction of the Commander-in-Chief, transmits papers relative to Canada. 373

Enclosed. Mathews to Colonel Gordon, dated 25th April, 1807. Sends extract of a letter from Quebec, from a well informed man, well acquainted with the people. Why should French newspapers now appear for the first time since the Conquest, after 40 years of assimilation? The father of the de Lery mentioned in the letter is an old French militaire, and in the Legislative Council many years, where he has always conducted himself with propriety. His oldest son was in the French service, and held some situation near the person of Louis. The Perrault family has always been protected by Government, and so have the lawyers alluded to, but they have long since shown the cloven foot. Has seen many of the most respectable traders, who declare the growing defection, even to insolence, of the Canadians; in Vermont,

1807.

10,000 hardy vagabonds might be got together in three days. Upper Canada is equally assailable. There are many good subjects in the new settlement, but some bad ones. Fears that in the present situation, the Canadas would be an easy prey to a considerable force. Page 375

Extract of letter from Quebec without signature, dated 27th January. Steps taking to alienate the Canadians. Two French newspapers with this tendency are lately started, the editors being lawyers, firebrands of society. General Turreau, the French Minister, tried to establish a French paper in New York, but failed; it is suspected he has been more successful here, as the types for one, if not for both, of these papers came from the States. Young de Lery left at the beginning of last winter to go, as he said, to England, but it is since reported he has joined the French service. A son of Perrault, the *greffier*, has been absent two years, and it is said, has been on board a French ship of war. He has returned and given a flattering account of Turreau. It is reported that every ship from France bring from 12 to 20 soldiers and New York is full of French officers. Perrault says they are intended for the French West Indies, but he is not entrusted with their secrets. Would not be surprised to hear of a second Miranda or Burr starting up at the head of these fellows and marching on Canada; they will find enough of Vermontese to join them for the sake of plunder, for the United States Government has not sufficient energy to prevent its citizens forming similar expeditions. The importance of having the military and civil authority united in one person. 376

May 19, London. John Young to Cooke. Sends memorial to be appointed Collector of Customs at Quebec, which he asks to be forwarded to the Treasury. 379

Enclosed. Memorial. 380

May 23, Treasury. Harrison to Cooke. Sends copy of report by the Comptrollers of army accounts, respecting the claim of Colonel Bowes, for expenses incurred whilst commanding the forces in Canada. The Treasury approves of the recommendation of the Comptrollers that an officer on the staff, not a general officer, succeeding to the command on a foreign station, shall receive the pay and allowances, whilst in command, of the rank immediately superior to that which he holds in the army. 383

Enclosed. Report, 30th April. 384

May 24, Quebec. Allcock to Castlereagh. On the change of Ministry thinks it his duty to inform His Lordship of the situation of this Government. Dunn, the President, is superannuated, his memory has failed, and the injury to the colony for want of a Governor cannot be conceived. Owing to the change of Ministry so soon before the sailing of the fleet, presumes the necessary arrangements for this Province could not be made, but if a Lieut. Governor is appointed, hopes the present information will not be considered an intrusion. Does not believe the report that Justice Thorpe is to be transferred from Upper Canada to the King's Bench, Quebec. The evil effects of his conduct in Upper Canada only prevented by Gore's wise and decided measures. The mischief Thorpe would cause in Quebec. 386

May 28, Ordnance. Crewe to Cooke. On a recommendation from Brock for a hospital at Quebec, referred to Morse, Inspector General of Works, transmits report, with plans, prepared by Morse and Mann of the Royal Engineers. The Master General and Board of Ordnance entirely concur in the opinion of these officers in regard to the construction of the proposed range of barracks at Quebec. 388

Enclosed. Morse to Crewe. That he had transmitted the proposal by Brock for a range of barracks to serve as a hospital upon Cape Diamond at Quebec. The change suggested by Mann, to have case mates in the lower story, of great value. Recommends that order

should be sent to have the work carried into execution. The additional expense should, he hopes, not be an objection. Page 390

Mann's report, dated 28th February. 392

Plan. 394*a*

Fawkener to Cooke. The Lords of Trade desire that as there is no land cleared to the extent of 150 acres that can be granted to Grece for the cultivation of hemp, the Governor of Lower Canada is to be instructed, if Grece has fulfilled his engagements for carrying on the cultivation of hemp, so far as circumstances have permitted him, that to preserve the public faith, 150 should be bought or a pecuniary allowance made him in lieu thereof. 395

Enclosed. Papers relating to the claim of Grece. 397 to 405

Bishop (Anglican) of Quebec to Canning. Asking that he would use his influence with Castlereagh to have his memorial considered. 406

Enclosed. Letter to Castlereagh of same date, with memorial which he prays may be laid before the King. 408

Memorial, stating the disadvantages under which the Church of England labours in Canada, and soliciting that remedial measures may be adopted. 409

Harrison to Cooke. Transmits letter from Dunn, dated 15th April, with Receiver General's account current to 13th October, 1806, and report of a Committee of the whole Council, for the information of Castlereagh. 415

Harrison to Cooke. The Lords of the Treasury desire to have copies of the appointment of and instructions to Guy Carleton in 1775, and those subsequently granted to Haldimand for the Commissioners for auditing the Public Accounts. 416

Gordon to same. Transmits for Castlereagh's consideration a dispatch from Brock relative to a piece of waste land of the Crown adjoining the barracks in Quebec, stating the benefit that would arise were its use given to the troops. 417

Enclosed. Brock to Gordon, dated Quebec, 4th May. The advantage the possession of the ground about the Jesuit Barracks would be if appropriated to the troops, for their recreation as well as for drill and military discipline. Encloses previous representations on the subject, namely, letter from Hunter to Hobart, 10th August, 1804, report by Gother Mann to Hunter, 11th November, 1802, and another report from Mann to Hunter, 15th January, 1800. 418, 422, 424, 429

Plan of the Jesuits' Barracks and ground depending on them, with contiguous streets and market-place, 1807, coloured. 432*a*

Bishop (Anglican) of Quebec to Castlereagh. Presses for the consideration of his memorial. 433

Harding Gifford to Cooke (?) That the supposed vacancy in the Chief Justiceship caused by the death of Monk has not occurred, the death of a nephew of the same name probably leading to the report. That the emoluments of a puisné judge led him at first to pay no attention to such a vacancy, but thinks now, if he had the assurance of being promoted to the Chief Justiceship, a previous discharge of the duties of the inferior office might serve as a preparation. 440

Memorial of Joseph Bouchette, stating his services and applying for an increase to his salary. He had come to London to lay before the Ministry the unsettled state of the boundary between the United States and Lower Canada, as shown by a statement annexed and by an extract from a speech of the Governor of Vermont. 434

Enclosed. Statement showing the unsettled boundaries between Vermont and Lower Canada. 437

Extract from speech of the Governor of Vermont referred to. 439

1807.

July 10, Treasury. Harrison to Cooke. To move Castlereagh to favour the Treasury with an opinion on what may be done respecting Mrs. La Corne's petition for a pension. Page 442

July 11, Treasury. Same to same. To obtain Castlereagh's opinion on the application of Scott, Idle & Co. that the extent of the Navy contracts may not be stated in the licenses. 443

July 14, London. J. Brown to Governor Bentinck. Encloses memorial from Joshua H. Smith. The extreme misery of himself and family. Smith's hope of redress disappointed by the short tenure of office by the Ministry. Added to his other misfortunes is the loss of £5,200 by the failure of his agent. An extract from a letter gives a striking account of the misery to which the petitioner and his family were reduced. 444

Enclosed. Memorial by Joshua H. Smith, praying that his petition to the King may be presented. 447

Memorial to the King. That he is descended from an ancient English family, holding distinguished offices in America for nearly 100 years, till the dismemberment of the Empire by the American revolution. His brother was His Majesty's last Chief Justice of New York, and recently died in a similar office in Canada. His services and sufferings; how his claims were allowed to lapse, owing to the death of his agent &c., by which he remains languishing near the winter of life in poverty and misery too agonizing for the contemplation of His Majesty. 448

Documents accompanying memorial. 452

July 17, London. List sent by Joseph Bouchette of astronomical instruments required for the use of the Surveyor General's Department at Quebec. 454

July 18, London. Petition of Charles Noël, of the Huron Nation, and Levant and Lewis, both of the Iroquois Nation, all in Lower Canada, delegated by their respective nations. Stating the services of their nations as allies of the King, and praying for lands on which to hunt and which they can cultivate by degrees, as it is not to be expected that they could change their mode of living by immediately applying to agriculture alone. 456

July 20, London. Joseph Bouchette to Cooke. As he cannot expect any increase of salary, forwards a memorial to Castlereagh for a quarter township. His disappointment at his unsuccessful visit, &c. 459

(For memorial see page 434.)

July 21, London. Freeling to Cooke. Sends copy of letter from the post office, Quebec. 462

Enclosed. Boutillier to Freeling, Quebec, 27th May. Loss of the March mail by the upsetting of a canoe, about ninety-three leagues below Quebec. 463

Account of the sinking of the canoe and the loss of the mails, about four leagues above the Grand Falls. 464

July 22. Milnes to Cooke. Had been obliged to leave town without seeing him, on account of the illness of Lady Milnes. The wrong idea held by Young of Quebec, respecting what was done in the Council in 1799 and 1803 in regard to the Jesuit estates in Quebec and Montreal. Has all the papers which he can show, so that a clear insight into the circumstances relating to these lands. Believes that the application on the part of the military arises more from jealousy between the Commander and the President, as previous Governors united the civil and military departments; did not think it necessary to allot the Jesuit Garden at Quebec to military purposes, though the college has always been used as a barrack. Has always felt that there could be no immediate necessity for giving up the whole garden to the military, for reasons stated. The papers will show the extreme jealousy of the Canadians respecting the Jesuit estates, and if any new step is to be taken, it should be entrusted to persons of higher rank than those now on the spot. Remind

him of the promise respecting the appointment of Forbes to be Lieut. Governor of Gaspé. Page 465

Joseph A. Small to same (?) Calls attention to memorials and plans of William Bond, and asks that an interview with Castlereagh should be obtained for that gentleman. The benefit the acceptance of the plan would be to the country. 468

Bouchette to same. The unsettled state of the boundaries between the United States and Lower Canada must render it necessary to have a verification of the line 45° and the height of the land ascertained. As an order to this effect might be sent when he was not prepared with the necessary astronomical instruments, submits the case for consideration and sends list of the necessary instruments. Proposes to send to London maps of the Province and towns, if acceptable. States the heads of information they would contain. 470

Enclosed. List of astronomical instruments for the use of the Surveyor General's office, but more specially for ascertaining the boundary between the United States and Lower Canada. List dated 24th July. 472

(A previous list of the 17th July, is at page 454.)

Duke of Kent to Cooke. In event of a change of Governor in Quebec, recommends Major Robertson, of the 60th Regiment, for the position of private secretary. 474

Harrison to same. To obtain the opinion of Castlereagh on Scott, Idle & Co.'s contract for supplying masts, &c. 476

Order-in-Council, authorizing the issue of warrant for the appointment of Young and Williams to the Executive Council of Lower Canada. 477

Prescott to Castlereagh. Considering his long service, hopes for the short remainder of his life that some compensation might be considered as not unreasonable. 478

Bouchette to Cooke. Being obliged to leave for Portsmouth to obtain passage for Canada, has stated fully his services and claims in the hope that a favourable construction may be put on them. It has not been in his power to accomplish what he suggested, will try to do so at Portsmouth, and will send further information from Canada. 479

Enclosed. Memorial stating his services and praying for an increase in his salary. 481

Documents of various dates referring to Bouchette's services. 486 to 498

Louis, Loren and Charles to Cooke. The three Indian delegates, complaining that they do not receive the accommodation they expected on board the transport and asking for £30 in order that they may have the same supplies as other passengers. 499

V. Chabot to Stuart. Calls attention to the case of the three Indians on board the transport. Would it not be worth while to send an order to make them comfortable to gain the good-will of the Indians when it may be needed? 501

McLean, Captain 10th Royal Veteran Battalion, to Cooke. The disappointment of the Indians at the allowance they are to receive on board the transport. The sum asked for (£30) would not be ill bestowed. Their decent and becoming behaviour. 502

Order-in-Council, approving of the commission and instructions to Craig and authorizing Castlereagh to prepare a warrant in accordance therewith. 503

Duke of York to Castlereagh. To give directions for the preparation of a commission to Craig as General and Commander of the Forces of Upper and Lower Canada. 505

Pole to Cooke. A detachment of the Royal Artillery for Canada to be accommodated on board the "Horatio." 506

Bouchette to same. His disappointment respecting his passage to Quebec; had lost the convoy and is now on board the ship "Pallas" for

1807

St. John, N.B. If he cannot get on board the "Canada," a merchant ship, he must go to St. John, and proceed across the country to Quebec, an expensive journey, but which will afford an opportunity of acquiring a more correct knowledge of that communication. Hopes that his memorial may be considered previous to Craig's leaving London and its prayer granted. His reason for applying for a seat in the Council. Remarks on the proposed expedition of Moreau against Canada in event of a war and the little hope of its success, unless a much stronger force is sent than proposed. By proper military arrangements, the Americans would find it a very difficult task to take either of the Provinces, especially Lower Canada. Even in Upper Canada a most powerful resistance can be made and time will show that Canada is not so easy a prey as the Americans consider it to be. Page 507

August 25, London. Craig to Stewart. Respecting the passage of his staff to Canada. 512

August 27, Admiralty. Barron to Stewart. That the usual warrants in favour of Craig are ready for delivery. 514

August 28, Lincoln's Inn. V. Gibbs and Thomas Plumer to Castlereagh. Opinion of Council on the powers of the Court held under a commission of Oyer and terminer and under a separate commission of gaol delivery. The sentences not to take effect until the approbation of the person administering the Government was obtained, but that no pardon should be granted by the latter until the cases are reported. Under the exceptional circumstances of the case on which an opinion is asked, it was prudent of the administrator to grant a respite. (For papers connected with this case, see Q. 102, pp. 298 to 329.) 515

September 5, London. John Maitland to Cooke. Urging that the business relating to his lands may be settled with as little delay as possible. 518

September 9, Quebec. General Order by President Dunn addressed to Baby, Adjutant-General of the Militia of Lower Canada, desiring him to make known to the officers, non-commissioned officers and privates of the militia the President's warmest approbation of their conduct, the same to be read by the commanding officers at the head of their respective corps, and that the President shall send an account to be laid before His Majesty. In English, 536; in French, 538. 536, 538

September 28, Whitehall. Fawkener to Cooke. The Lords of Trade have under consideration a representation on the cultivation of hemp, to which he has devoted much attention. Their Lordships entertaining a favourable opinion of Bond's abilities, &c., recommend Castlereagh to instruct the Governor of Upper or Lower Canada, to grant him 1,200 acres, if His Lordship see no objection, one-half to be cleared land, if vacant, if not, one-fourth to be cleared land to be purchased for him. 528

September 29, Chelsea. Mrs. Hamilton to Castlereagh. Forwards memorial from her daughter, the widow of Francis Le Maistre, Lieut. Governor of Gaspé, for a pension. 520

Enclosed. Memorial of Mrs. Le Maistre. 522

Recommendation from the Duke of Kent, 2nd August. 524

Dorchester, of 26th August. 526

October 3, Whitehall. Letter from the Council Office of this date, respecting the cultivation of hemp, by Campbell and Grece does not appear to have been received or acted upon by the Colonial Office. 529

October 26, Montreal. A. Cuyler to Cooke. Had written him, before he retired from the Secretary of State's Department, respecting a grant he had obtained for him (Cuyler). Reminds him of the promise and forwards another memorial to Lord Camden (Castlereagh), a confirmation of the grant. Enters into details respecting the land, &c. 530

Enclosed. Memorial to Castlereagh of same date. 533

Harrison to Cooke. Transmits documents relating to the contract with Scott, Idle & Co., for the information of Castlereagh and asking his directions thereon. Page 552

Enclosed. The documents relating to Scott, Idle & Co's contract for supplying masts, &c. 553 to 558

24, Proclamation by Sir J. H. Craig addressed to Adjutant General Baby, respecting the militia. English, 540; French, 546. 540 546

, Sir John Johnson to Windham. Duplicate (not copied here) of letter of 9th March, with enclosures (see pp. 324, 327, 330). 571

Memorial by John Black addressed to the Duke of Kent, being observations on the government and politics of Canada, (559) enclosing a previous memorial (561) on the same subject, dated 9th October, 1806. 559, 561

1801.

Q. 291—1.

May 28 to July 9. Journals of Legislative Council and Assembly of Upper Canada.
Page 39 to Q. 291–2, p.

June 12, York. Allcock to Hunter. Remarks on the Femme Couverte Bill (in H ter's No. 34, p. 1). The object of the bill is to enable married women alienate either a life estate or an estate in fee simple with very sm ceremony indeed instead of being obliged to do that which is requi by the law of England. Is afraid that the Legislature in an unfortun moment would do away with the now slender security provided agai the influence of the husband. His experience had shown him that court, instead of showing a disposition to facilitate the means by wh a married woman could strip herself of her rights, was anxious to gu and protect her against improvident alienation of property. Belie therefore, that had the courts been consulted, they would have oppo the proposed measure. General considerations on the inexpediency the law.

(In Hunter's No. 34, p. 1.)

June 12, York. The same to same. His opinion on the bill respecting the sale lands by the sheriff. The bill appears to have been introduced in con duence of a difference of opinion in the court; whether a plaintiff hav obtained a judgment, could or could not sue out execution against t lands, which was decided in the affirmative, he (Allcock) dissent States the grounds of Powell's decision and his own dissent. The Ch Justice (Elmsley) will, no doubt, forward his own opinion. Gives length the opposing views on the subject.

(In Hunter's No. 34, p. 1.)

July 11, York. Report of Chief Justice Elmsley on bills originating in the Legislati Council of Upper Canada, namely: "1. An Act to enable *femmes c* "*vertes* having real estate, or interest in real estate more convenient "to alien the same." "2. An Act to continue an Act passed in 37 "year of His Majesty's Reign, entitled: 'An Act for the better securi "the Province against the King's Enemies.'" "3. An Act to allow Ti "for the sale of Lands and Tenements by the Sheriff." "4. An Act to p "vent Acts of the Legislature from taking effect from a time prior "the passing thereof."

(In Hunter's No. 34, p. 1.)

August 4, York. Opinion of Scott, Attorney General, on the bill relating to the alie tion of real estate by *femmes couvertes*, which agrees with that of Justice Allcock, so that it is not necessary to state the reasoning justification for the opinion arrived at, and on the bill for allowin certain time for the sale of lands and tenements by the sheriffs; views on this bill he divides into the question of form and of substa the consideration of which he states at length.

August 27, York. Hunter to Portland (No. 34). Sends copies of Acts to which Royal Assent has been given. Sends opinion of Chief Justice All and of the Attorney General on two reserved Acts.

(Enclosures calendared at their dates.)

Q. 291–2.

1800.

Continuation of Journals of Legislative Council and Assembly from Q. 291–1.

anuary 1, December 1. Accounts of articles on which duties are imposed by Lower Canada which have passed Coteau du Lac upwards, between 1st January and 30th June, 1800. Page 303

The same from 1st July to 31st December. 312

The same for articles on which duties are imposed passing downwards by Coteau du Lac from 1st January to 30th June. 319

The same from 1st July to 31st December. 320

(The certificates show that no goods of this character passed downwards.)

1801.

anuary 19, uebec. Ryland to Fraser. That the Lieut. Governor desires to be informed whether certain tobacco passing Coteau du Lac was leaf or carrot—and if the former, whether proof was given that the duty thereon was paid. 321

The correspondence respecting the tobacco follows, showing that instead of 150 cwt. having passed the quantity was 150 pounds, and that everything was done properly. 321 to 323

pril 5, uebec. Return of revenues in Upper Canada from tavern and shop licenses, for the year ending on the date in the margin. 324

List of persons licensed to keep stills in Upper Canada for year ending on same date. 328

Account current of Peter Russell, Receiver General, between 7th June, 1800, and 27th May, 1801. 329

Account of licenses to inn-keepers, &c. 330

ay 16, ittlewas- n. Thomas Talbot to Duke of Cumberland. Has arrived safely at his favourite settlement and finds his situation satisfactory. Simcoe, before leaving, had neglected to issue the warrants for his lands; new regulations make the possession of lands more expensive and difficult to obtain than in 1794. Asks the Duke to obtain for himself a grant from the King for him of a township exempt from fees and obligations of location. When the Provincial deeds are obtained a transfer could then be made to him (Talbot); how the transfer papers can be sent, &c. The satisfaction he hopes to enjoy in the Province. 517

une 29, Whitehall. Lords of Trade (Fawkener, Secretary) to King. On a petition for Berczy for a grant of land. Asks that the same be submitted to Portland, to ascertain whether His Grace may not think it advisable to direct the Governor and Council of Upper Canada, should the allegations, &c., be substantially true, to pass a grant for the 64,000 acres prayed for. 503

uly 23, ondon. Edward Law and Spencer Percival. Opinion that under the general law de Puisaye and his associates, being aliens, cannot purchase lands in Canada, but this may be modified by the King's proclamation, of which they ask for a copy. 506

ugust 5, ondon. Berczy to King. Encloses copy of letter of the 8th of July, respecting the proceedings on his petition for land, as he understands that letter has not been received. 508

Enclosed. Letter of 8th July referred to. 510

ugust 15, Bishop of Leon to Portland (in French). Respecting M. Zocchi, a priest, to be sent to Canada as a missionary to the Indians on the St. Lawrence. 512

eptember 2, ork. Hunter to same. Has received approval of cutting a new canal across the neck of land above the Cascades. Every precaution will be taken to make the work beneficial and as little expensive as possible. Sends list furnished by de Puisaye of the military rank of the French

1801.

royalists now settled at Windham. Sends note of the quantity of land to be allotted to the Provincial troops and loyalists, according to rank, by the instructions of 7th August, 1783, 23rd August, 1786, and modifications in 1787 and 1788. Desires to know whether the lands to the French royalists are to be granted conformably to the instructions of 1783 or 1786. Transmits memorial from Mathew Elliott, dismissed from the Indian Department. Prescott having sent the papers in this case to the Secretary for the Colonies, he (Hunter) is precluded from dealing with it. Page 332

Enclosed. Memorial of Elliott (335). Other papers relating to Elliott's case, namely, Simcoe to Elliott, 4th April, 1800, (336). Russell to Elliott, 27th June, 1801, (337). Certificate by Thomas Ridout, N.P., York, that these are true copies (339). 335 to 339

Return of the military rank formerly held by the French royalists. 340

September 30, Quebec. Hunter to Portland (No. 36). Had received dispatch relating to a grant of 64,000 acres to Berczy; copies of the papers relating to this subject sent to the Executive Council of Upper Canada, with directions to report. Shall send the report as soon as possible with every other information he can obtain on the subject. 342

September 30, Quebec. The same to King. On the subject of the grant of 64,000 acres to Berczy. 344

October 8, Quebec. The same to Portland (No. 37). Sends requisitions for clothing for the first and second battalions of Royal Canadian Volunteers for 1801, to replace that sent by the "Sovereign," wrecked on Cape Breton, on 17th May last. 345

Enclosed. Requisitions. 346, 348, 350, 352

October 11, Castle Hill Lodge. Duke of Kent to Hobart. Respecting the grant of land promised to Colonel Talbot in Upper Canada; he has asked for a township to be granted to the Duke of Cumberland and afterwards transferred to him (Talbot), but the Duke does not wish his name to appear in the transaction. Asks that a township be granted to Talbot, exempt from Government fees. The grounds for the application. 514

Enclosed. Talbot to the Duke of Cumberland. For his influence to obtain a grant of land, the township of Houghton in the County of Norfolk on Lake Erie, or one adjacent preferred, to be granted in name of the Duke, and afterwards transferred, with exemption from fees. 517

October 17, Quebec. Hunter to Hobart (No. 1). Acknowledging receipt of circular that he (Hobart) had been appointed to the Colonial Department. 354

October 17, Quebec. The same to King. Acknowledges receipt of circular with Portland's dispatches. 355

October 26, Quebec. The same to Hobart (No. 2). Sends requisition for goods to be used as presents for the Indians. 356

Enclosed. Requisition. 357

November 28, Treasury. Addington to King. Transmits requisition for goods for presents to the Indians, in order to obtain Hobart's opinion thereon. 521

December 3, Downing Street. Hobart to Hunter (No. 4). Dispatches received and laid before the King. Shall send orders respecting lands to French royalists by some other opportunity and also opinion of the law officers whether grants of land can be legally made to the persons in question, being aliens and not naturalized. In the case of Elliott, sends copy of the representation made by Prescott in 1797, in consequence of which Elliott was removed. If circumstances seem to entitle his case to a reconsideration, he (Hunter) is to have inquiry made, reporting the result. The requisitions have been transmitted to the Treasury. 362

December 27, Quebec. Hunter to Hobart (No. 3). Transmits report of Executive Council on Berczy's case; believes the report to be perfectly correct. 364

Enclosed. Report of the Executive Council dated 31st October, 1801, signed by Chief Justice Elmsley, entering into minute details and criticising Berczy's statements. Page 366 to 406

Miscellaneous documents relating to the capitulation of Quebec, &c., already on the shelves in printed form. 408 to 502

LIEUT. GOV. PETER HUNTER—1820.

Q. 292.

Hunter to Hobart (No. 4). Has received dispatch that preliminaries of peace had been signed between His Majesty and the French Republic. Page 2

Same to same (No. 5). Acknowledges receipt of the information of the ratification of the preliminaries of peace and printed copies of the preliminaries. 3

Same to same (No. 6). Recommends a grant of land to Powell, one of the Justices of the Court of King's Bench. 5

Hobart to Hunter (No. 5). Transmits copy of a paper by Mackenzie, who has visited the Lakes of Canada and paid considerable attention to the subject of opening a more practicable communication through these Lakes with the St. Lawrence. The object is very desirable and would ensure vast advantages to the Canadian Provinces. Is the more inclined to recommend the proposition, as, although of greater extent, it agrees with the plan transmitted by him (Hunter) and authorized by Portland for improving the communication between Upper and Lower Canada, by cutting a new canal across the neck of land above the Cascades. To report on the subject, with the estimated cost, &c. The assistance he will receive from Mann's professional abilities. Sends a memorial for land from Mrs. Van Allen; desires that it be laid before the Executive Council. 9

Hunter to Hobart (No. 7). Recommends that Henry Allcock, one of the Judges of King's Bench, be appointed to the Legislative Council to supply the vacancy caused by the death of John Munro. 12

Same to same (No. 8). Has received the order to purchase the house and premises near Fort George, the property of D. W. Smith, for £2,250, to be converted into quarters for the officers. On his return to York he shall give orders to have the necessary deeds prepared. Has appointed the Rev. Richard Pollard to be the resident Church of England Minister at Sandwich. 14

Hobart to Hunter (No. 6). Transmits report on the question of granting lands to French royalists and copy of an Order in Council approving of bill for establishing a Court of Chancery in Upper Canada. It is only fair to grant the lands promised to the French royalists, but as they must be naturalized, which requires an Act of Parliament, this must be fully explained to them, and a list must be obtained of those to be included in such an arrangement. In the meantime, allotments of land may be made to them on the same principle as those to original American loyalists, in accordance with instructions already given. 16

Enclosed. Opinion of Edward Law and Spencer Percival, dated 23rd July, 1801, respecting grants to aliens. 19

Order in Council, dated St. James, 24th March, 1802, that in regard to a Court of Chancery proposed for Upper Canada, the Governor is already vested with power to settle cases in equity and can call assistance and that the court proposed should not be constituted without full consideration. 21

1802.

May 6, Downing Street. Hobart to Hunter (No. 7). Has laid the report on Berczy's for 64,000 acres before the Privy Council. A grant of land to be Mr. Justice Powell.

May 19, York. Russell to same. Had stated in letter to Green of 16th Fe that the bill drawn on Goddard for £800, for building churches h returned protested. Narrates the circumstances of the grant of £1 this purpose and the steps taken to have churches built by th interested, assisted by grants from the £1,000 appropriated for t pose. The western district, the first which had complied with t ditions, received £200 for the church in Sandwich. The intentio to advance money as church wardens were appointed for Newark New Johnstown and Cornwall, orders were sent by the Trea draw on Goddard, into whose hands the money had been impreste the bill drawn on Goddard was protested, and at what expense.

May 20, York. Hunter to Hobart (No. 9). That on drawing for £800 the bal the amount for building churches in Upper Canada, the bill w tested, the balance having been paid over to the present agent arrangement for the distribution was, for Sandwich, £100; N £100, York, £300; New Johnstown, £200; Cornwall, £200. At ston a church has been built. In the places now mentioned the are building or preparing to build and are applying for their pro Asks that steps be taken to enable him to obtain the amounts by Parliament. Sends copy of Russell's letter. Any loss caused bill being protested should fall on Russell, as he received particula tions to prevent this.

May 31, Downing Street. Hobart to Hunter (No. 8). The appointment of Elmsley to Osgoode in the office of Chief Justice of Lower Canada and All succeed Elmsley in that office in Upper Canada.

May 31, Downing Street. Same to same (No. 9). Acts (enumerated) referred to in l 27th August, 1801, appear liable to no objection. That relating t easy alienation of lands by *femmes couvertes* is still under con tion.

June 3, York. Hunter to Hobart (No. 10). That he was to be informed of t portions in which lands were to be granted to French royalists. thirteen of them now remain of those who came with M. de P He had given passports to Count M. d'Allegre to return to Englan not think Elliott's case requires further consideration.

June 8, York. Same to same (No. 11). Sends his speech at the opening of the lature with address in answer and his reply.

Enclosed. Speech.

Address in answer by the Council.

Reply.

Address by the Assembly.

Reply.

June 23, York. Hunter to Hobart (No. 12). Shall not fail to pay particular at to the memorandum respecting a canal projected by the Americ from Albany to Lake Ontario, and a canal between Lake Onta Montreal. Has directed Mann to report fully on the subject; shal mit the report as soon as possible with his own observations. The me of Mrs. Van Allen for land has been laid before Council. Th Jersey volunteers, to which Mrs. Van Allen's late husband belong sent to New Brunswick, disbanded and received lands there and t every reason to believe Van Allen received his proportion i Province. If His Lordship, however, thinks that the widow receive a grant in Upper Canada, any directions His Lordship m shall be carried out.

Enclosed. Mrs. Van Allen's petition.

Reference of same to Council and report thereon.

1802
17.

Hunter to Hobart (No. 13). Sends copies of proposed leases for Crown and Clergy Reserves, and copy of the report on fees for passing the leases, which is approved of, but no part of the fees shall be collected till His Lordship's approbation is received. Sends also abstract of the grants of land which have passed the Seal between 1st January and 31st December, 1801, and copy of his speech on prorogation. Page 59

Enclosed. Proposed lease for 21 years of 200 acres of Crown Reserves. 61

A similar lease for 200 acres Clergy Reserves. 66

Report of the Council on the subject of fees on leases. 72

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada which have passed the Great Seal of the Province between the 1st of January and 31st of December, 1801.

Counties.	No. of Grants.	Districts.	No. of Acres.	Total No. of Grants.	Total No. of Acres Granted.
Durham	89	Home.	30,396	430	121,867½
Northumberland	127		37,795		
York	214		53,676½		
Lincoln	192	Niagara.	39,590½	198	39,590½
Glengarry	12	Eastern.	2,600	142	40,362
Dundas	73		20,769		
Prescott	20		9,400		
Russell	34		8,440		
Stormont	3		1,243		
Grenville	161	Johnston.	42,150½	326	83,011½
Carleton	31		7,650		
Leeds	134		34,111		
Essex	46	Western.	13,454	68	23,160¾
Kent	22		9,706¾		
Middlesex	23	London.	5,920	171	73,154
Norfolk	99		47,447		
Oxford	49		19,787		
Frontenac	80	Midland.	19,605	401	98,472
Hastings	112		36,480		
Addington and Lennox	128		22,107		
Prince Edward	81		20,280		
			Total	1,736	479,618¼

PETER RUSSELL,
Auditor General.

1802.

For the above grants of land the faith of Government was pledge
Land Board Certificates or Order of Council, previous to the comm
ment of Lieut. Governor Hunter's administration. Pa

Speech on prorogation.

Journals of Assembly, 25th May to 7th July, 1802.

September 4, Downing Street. Hobart to Hunter (No. 10). Respecting Acts reserved, to whic
Royal assent has been given and other Acts approved of.

LIEUT. GOV. PETER HUNTER AND MISCELLANEOUS—1802.

Q. 293.

1801.

December 24, York. Allcock to King. Reminding him of the conditions on which he
to Canada. He would accept the office of Chancellor of the pro
Court of Chancery were the endowments equal to those of the
Justice, but the Chief Justiceship is infinitely the preferable
tion. Pag

1802.

January 5, London. Report by the Attorney and Solicitor General respecting gran
land in Canada to French royalists, being aliens.

February 8, London. King to Sullivan. Relative to letter enclosed (letter from Alle
dated 24th December, 1801, p. 128, calendared at date).

February 25, Treasury. Addington to same. Sends letter from the Duke of Kent,
memorials from Connolly appointed Deputy Superintendent of In
affairs in Upper and Lower Canada, but from which he was suspe
by Hunter, asking that it be submitted to Lord Hobart to be infor
whether the appointment had been vested in the Commander-in-Chi
British North America, or in the Civil Government.

March 2, London. W. M. Pitt to Hobart. Reminding him of the case of Mathew
and asking for a grant of land for him in Upper Canada.

March 12, London. Duke of Kent to Sullivan. Enters into a detailed explanation of
reasons for appointing Lieut. Colonel Connolly to be Deputy Sup
tendent of Indian affairs, and sending copies of instructions to
Dorchester and other documents, as justification for believing he
authority to make the appointment. Asks that the letter and enclos
be laid before Hobart.

Enclosed. Documents referred to in the letter. 141, 147, 150

March 24, St. James'. Order-in-Council respecting bill for erecting a Court of Chance
Upper Canada, with observations. The Committee of Council rep
that the appointment of a judge of Chancery, distinct from the C
cellor should not be made but on very serious considerations. "
"the Governor of the Province for the time being by his commissio
"the powers incident to his office is already vested with sufficient au
"ity to exercise an equity jurisdiction to the full extent pointed o
"Lieutenant Governor Hunter's letter" and is to be authorized "t
"for the assistance of any of Your Majesty's judges or law officers o
"Province.....in framing regulations and forms for the condu
"the business and the mode of proceeding in a Court of Chancery."
like manner he is to frame a table of fees.

April 4, London. Selkirk to Pelham. Encloses statement of his ideas as to the c
of the situation of the proposed colony. Explains the grounds
confidence that he will obtain a considerable number of emigrant
the colony were once successful many would join their friends; th
scarcely a limit to the number of those who might be induced to
the offer of advantageous wages for a term of years. Had found
parts of Ireland that labourers would engage to serve almost anyw
for wages. His long experience in agriculture enables him to say

1802.

the work obtained would be equivalent to the wages paid. His proposal to furnish an annual supply of hemp. Page 169

Enclosed. Proposal tending to the permanent security of Ireland, in a memorial addressed to His Majesty's Secretary of State, &c., &c., by the Earl of Selkirk. The proposal is to establish a separate colony in some part of British North America, so as to provide for a large number of Irish emigrants, the expense of whose passage he proposes should be paid by Government. The proposal is dated 31st March, 1802. 172

Supplementary observations, 3rd April. 178

ril 11, ndon. Duke of Kent to Sullivan. Encloses letter from Prescott relating to the patronage vested in the Commander-in Chief in regard to the Indian Department in Canada. The hardship in the case of Connolly. 158

Enclosed. Letter from Prescott to the Duke of Kent stating that in his opinion the patronage in the Indian Department was vested in the Commander-in-Chief. 160

ril 14, ndon. Duke of Kent to Sullivan. For information respecting a Swiss regiment for Gibraltar, and enclosing memorial from a widow for lands due to her late husband in Canada. 162

ay 25 to ly 7. Journal and proceedings of the Legislative Council of Upper Canada, during the period in the margin. 1

ay 26, easury. Addington to Sullivan. That the Treasury can grant Connolly no relief. 164

ay 27, hitehall. Notes on Lord Selkirk's plan of emigration by King (see p. 166). Disapproves of emigration *en masse*, and sees great difficulty in Government attempting to transport and settle people from Ireland or elsewhere in either of the Canadas. No new district nor colony could be formed there, every settler on arriving should be subject to the existing laws and authorities, and no plan of settlement can be found practicable that attempts to put settlers under any particular head, or with any privileges other than those granted to every British subject that goes to settle. The Duke of Portland took steps to encourage the culture of hemp by granting so many acres for every acre of hemp. Would be averse to interfering with the fur trade which takes good care of itself, there being such a thing as salutary neglect. 167

ay 31, ndon. Selkirk to Hobart. Desires to obtain His Lordship's opinion on a paper sent to Lord Pelham but transferred to him (Hobart) as relating to the Colonies. 165

An undated note from Lord Pelham to Hobart, states that he had sent Selkirk's plan with King's observations upon it. 166

ne 2, Jan.es'. Order-in-Council appointing Allcock a member of tht Executive Council of Upper Canada. 186

ne 9, ndon. Selkirk to Hobart. For a decision on his proposals. If not accepted, as silence would seem to imply, asks that his memorial be returned, as he cannot be pledged to services the Government does not intend to accept. 188

ne 17, itehall. King to Sullivan. Sends copies of correspondence respecting the proposed shipment of emigrants from the Highlands of Scotland to Canada. 189

Enclosed. Addington to King, 16th June. Sends letter from the Commissioners of Customs for the information of Pelham. 190

Commissioners of Customs, Edinburgh, 5th June. Transmit to the Treasury copy of letter from the Collector and Comptroller of Customs at Fort William. 191

Collector and Comptroller of Customs, Fort William, 24th May, respecting vessels engaged to carry emigrants to Canada, some to be loaded at this port and others at outlying stations to escape inspection. 193

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Commissioners of Customs, Edinburgh, 5th June. Instructions as to the course to be followed with the vessels engaged to carry emigrants. Page 195

June 18, London. John Brickwood to Hobart. Returns the Earl of Selkirk's papers, with notes. The importance of the plan proposed. Shall take an early opportunity to see him (Hobart). 197

July 6, Kirkcudbright. Selkirk to same. Begs to be informed of the determination of Government on his colonization scheme. If not favourable, asks for His Lordship's intervention to obtain a grant of lands at the Falls of St. Mary, with the mines and minerals he may discover on the north side of Lakes Superior and Huron. Shall conform to such conditions as may be thought necessary to secure that the grants do not remain in an unimproved state. If, as hinted, lands should be open in Prince Edward Island, he would apply for grants there. He would thus be able to give his whole time and attention towards colonizing both tracts, which he could not afford to do in case of either singly. 201

July 30, Quebec. Hunter to same. Had received, by the hands of Mr. Scott, instructions to grant him an allotment of land, which shall be done. 61

July 31, Quebec. Same to same (No. 15). Had received extraordinary *Gazette*, announcing the arrival of Moore, with the definite treaty of peace, signed at Amiens on the 27th of March. Proclamations consequent on the peace have also been received. 62

July 31, Quebec. Same to Sullivan. Has received estimate for the expenses of the civil establishment of Upper Canada. 64

August 2, Quebec. Same to Hobart (No. 16). In consequence of the opinion of the Attorney and Solicitor General, that the French royalists must be naturalized before they can obtain lands, shall send list of those who desire to be included in naturalization bill. In the meantime, their situation shall be explained to them. 65

August 4, Quebec. Same to same (No. 17). Has received dispatch that the report on Berczy's claim for 64,000 acres of land has been laid before the Privy Council, and desiring that a grant of land, on similar terms to those made to the Executive Councillors should be made to Mr. Justice Powell. 67

August 11, London. Freeling to Sullivan. Respecting the increase of salary granted to Ridout and the loss caused to him by delay, from which he should not suffer. 203

Enclosed. Extract from a letter of J. G. Ridout, dated 6th August, in regard to his brother's salary. 206

August 13, Quebec. Hunter to Hobart (No. 8). Has given D. W. Smith, Surveyor General, six months leave of abscence. Sends copies of the Acts passed during last session. Smith's qualifications and character. 67

August 14, Whitehall. Report of the Committee of the Privy Council, recommending the disallowance of an Act to declare the rights of certain grantees of waste lands of the Crown, and that the Assembly of Upper Canada be recommended to pass a new bill similar to the former, but containing additional matter. 209

Report on the Act enabling *femmes couvertes* to alienate. Recommends that it be allowed, with certain provisions which may either require a new bill or may be regulated by orders of the Courts. 211

Order-in-Council, dated 16th August, disallowing the Act for declaring the rights of grantees of waste lands, &c. (213) and of the same date confirming two other Acts (215). 213, 215

August 15, Quebec. Hunter to Hobart (No. 19). Has received information that Elmsley is appointed Chief Justice of Lower Canada, that Allcock is to be Chief Justice of Upper Canada, with a seat in the Executive and Legislative

Councils, and Cochrane, Chief Justice of Prince Edward Island is to be a puisné judge in Upper Canada. Page 72

Hunter to Hobart (No. 20). Acknowledges receipt of letter that Acts (mentioned) have not been liable to objection, and that the reserved Acts are still under consideration. 74

Selkirk to Adam Gordon. Is sending a person now in New York to the Falls of St. Mary to examine into certain points. Asks for official letters to the commanders of posts, &c. His name is Richard Savage. 217

Same to Hobart. States local circumstances respecting the grant he asks; does not object to the rules but there are exceptional cases. The important position of the Falls of St. Mary; through the strait the fur trade passes and it is the only communication through British territory between the North-West and the Eastern Provinces. But it has not advantages to attract settlers and some therefore must be held out to encourage them, and for this reason he had asked for the grant of the mines and minerals as a compensation for the expense he must incur to induce settlers to go beyond their usual range. The class of people whom he hopes to attract; but cannot state specifically the number he can settle till he is informed of the conditions. If not unfavourable, supposes he could, in the course of a few years, settle between 800 and 1,200 families from Scotland and Ireland, and if the grant of minerals were conferred he should not scruple to undertake still more. 219

Same to Gordon. Had not received letters recommending Richard Savage, so that he must write by this mail without them. Suggests that he might send the letters direct to New York. 223

Hunter to Hobart (No. 21). Sends requisition for presents for the Indians. 78

Enclosed. Requisition. 79

Hobart to Hunter (No. 11). That Lord Selkirk proposes to form a settlement in Upper Canada. The Falls of St. Mary seems to be the spot he has selected. He has commissioned Richard Savage to proceed there to make examinations; recommends that he obtain protection and aid from the officers at the military posts at Niagara, Detroit, and particularly at the Island of St. Joseph. 83

Same to same (No. 12). A memorial has been presented by the widow of Arnold respecting the fees on the 13,400 acres granted to him and his family. It appears that the 5,000 acres to the family were to be placed on the same favourable position as the 8,400 acres granted to himself. The application from Ridout is to be complied with unless there are reasons to the contrary effect. 85

The memorial dated London, 1st July, 1802. 198

Hunter to Hobart (No. 22). Transmits report on Sir Alexander Mackenzie's memorandum respecting the projected canal from Albany to Lake Ontario projected by the Americans, and one between Lake Ontario and Montreal. Mann's report coincides with his (Hunter's) sentiments. Mackenzie has not yet returned from the North-West. 86

Enclosed. Mann's report on the canal. 88

Mackenzie's memorandum. 120

Hunter to Sullivan. In answer to inquiries on the subject of providing fresh meat and other necessaries on the spot to reduce the demand for supplies from England, sends report from Craigie, Commissary General. 96

Enclosed. Estimate of provisions required for 4,000 troops in Canada from 25th June, 1802, to 1st October, 1804. 97*a*

Craigie to Hunter, dated 18th September, entering into details respecting the supplies. 98

1802.

October 5, Downing Street. Hobart to Hunter (No. 13). Dispatches received. The draughts of the leases of Crown and Clergy Reserves and the tables of fees do not seem open to any objection. Mathew Scott is desirous rather to settle in Lower than in Upper Canada and has accordingly been recommended to Milnes for the same allotment and protection as he would have received from him (Hunter). Page 70

October 25, Montreal. Sir Alexander Mackenzie to Sullivan. Sends for Hobart two papers, the substance of which will probably be transmitted through the Lieut. Governor. They show that he has not succeeded in bringing about the union between the two fur companies which Hobart recommended, unless Government grant one of the companies licenses, with the option to the other of sharing in proportion to the trade. Can see no means of bringing about a coalition for several years, by which time the trade may be ruined and the opportunity of making the Western establishments lost. Hunter, although averse to monopolies, agreed there was no way to carry on the trade except through a chartered company. Submits the propriety of forming a military establishment on the Western coast to prevent other nations from anticipating the country in so important an object. Urges the speedy establishment of a judicial power to prevent the contending fur companies from abusing any power numbers and strength might accidentally give one of them. The other good effects of such judicial power. Every thing in legislative interference should be avoided which could confer a sanction on the Hudson Bay Co. in regard to their doubtful charter or which could give them the right of checking commercial enterprise from this quarter by the usual inland routes for traders, nominally included in the charter. Refers to two unsuccessful attempts to reach the River Columbia by a more southern course than that he (Mackenzie) had followed, but the Astronomer declares the object to be not impracticable. 225

Enclosed. Richardson to Ryland, dated Montreal, 21st October. Respecting the defects of the law in respect to crimes committed outside of the Provincial boundaries. 230

Presentment of the Grand Jury of Montreal, September, 1802, on the evils arising in the Indian country from the want of a judicial establishment. 239

October 27, London. Col. Talbot to Sullivan. Sends certain papers. 245

Enclosed. Extract of letter from Simcoe that he would have given Talbot 5,000 acres of land, but had no authority. How he should proceed under the new system in regard to Crown lands. 246

October 27, London. Talbot to Sullivan. Submits his views on settling in Upper Canada and calls attention to the present state of the country, his services as private secretary to Simcoe having given him the opportunity of learning its condition, &c. The fertility of the soil and excellence of the climate not generally known to Europeans, who annex to the name of Canada the idea of a cold, inhospitable region. The population, consisting of refugees from all parts, principally from the United States, may be thus classed: 1. Those enticed by a gratuitous offer of land, without any predilection on their part to the British Constitution. 2. Those who have fled from the United States for crimes or to escape their creditors. 3. Republicans, whose principal motive for settling in that country is an anticipation of its shaking off its allegiance to Great Britain. These three descriptions of persons, with a few exceptions, comprise the present population. The character of the magistracy and the hardships often caused by them. To remedy some of these evils, pray for a grant of land, exempt from the payment of fees, so that his capital might be left free for the establishment of agricultural works, especially the cultivation of hemp. The importance of turning the tide of emigration to Canada. But this would overtax the means of an individual whose capital is not very great. Should Government undertake the work, he

would willingly procure persons to take charge of them to their destination. The expenses of their passage should be paid and tools, &c., furnished. Should Government decline to adopt this measure, hopes it will not be an obstacle to his obtaining his grant. Page 248

Hobart to Hunter (No. 14). Dispatches received. Requisitions for presents for the Indians sent to the Treasury. Russell's letter respecting the bill for £800, on account of the grant for building churches, also sent to the Treasury. 95

Hunter to Hobart (No. 23). Sends proposed table of fees in the Court of Chancery and letter from Allcock on the subject. Proposes that all the fees that may accrue to the Chancellor should go to the Chief Justice for reason given. De Puisaye having returned to England had sent for Count de Chalus and his brother the Viscount and read them an extract from his (Hobart's) letter of 8th April, respecting the necessity of the French royalists being naturalized before obtaining land, and fully explained the matter. They promised to furnish a list of those who might desire to be included in the arrangement. This shall be forwarded when received. 105

Enclosed. Table of fees to be taken in the Court of Chancery. (A note says: "All the fees in the foregoing tables are calculated upon the idea that the officers of the Court will not receive any salaries.") 108

Remarks by Allcock on the preceding table. 111

Selkirk to Hobart. In accordance with letter of 30th July, has been making particular inquiry about the people preparing to leave next year. Owing to the habit of the Highlanders to emigrate to where their friends are, large numbers still go to Carolina and New York. His efforts to turn them to His Majesty's dominions have not been in vain, although it required no small effort and an engagement that he (Selkirk) should go with them. Asks the support of Government in his effort. 256

Hobart to Hunter (No. 15). The order for a grant of land to the widow and children of the late Attorney General, (White) to be carried out, and as this grant is the principal resource of the family, the land is to be laid out in the most favourable situation. 113

Sullivan to same. Has sent to the Treasury report on the obtaining of supplies in Canada for the troops. Directions given that such supplies as can be obtained for the troops in the West Indies are to be drawn from Canada and Nova Scotia. 115

Hunter to Hobart (No. 24). Sends list of French royalists prepared by the Comte de Chalus. The name of Ambroise de Farcy de Roseray taken off the list at the request of Quetton St. George. 116

Enclosed. List referred to. 118

Sargent to ——. Sends for the information of Lord Hobart the statement that the balance of £800 of the sum of £1,000 for building churches having been repaid to the Treasury, that sum must be added to this year's estimates for the same purpose. 259

Dorchester to Pelham. Cannot avoid calling attention to the services of Sir John Johnson and Baby, although he had declined every interference with the affairs of Canada since he retired from the command. 261

Enclosed. Sir John to Dorchester, 14th December. 263

With two enclosures. 265, 268

Mrs. White, widow of the late Attorney General of Upper Canada, to Hobart, with heads of her memorial, the memorial itself having been mislaid. 271

Enclosed. Heads of memorial. 273, 274

Lieut. Gov. Peter Hunter—1803.

Q. 294.

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January 3, York. Hunter to Hobart (No. 25). Remarks on bills reserved and the Privy Council had taken into consideration.

January 5, York. Same to same (No. 26). Lord Selkirk's proposed settlement in Canada shall meet with every encouragement. The directions th 8,400 acres to Arnold's family are to be on the same footing as th to himself, shall be strictly attended to. Ridout's salary shall be inc as directed; his meritorious services. Calls attention to the want answer respecting the balance of £800 for building churches.

January 25, York. Same to same (No. 27). Sends memorial of the officers of the granting department respecting fees and report of a Committee of cil. Concurs in opinion with the Committee and points out ho misapprehension respecting the fees arose.

Enclosed. Memorial.
Table of fees.
Reference to Council.
Report.
Table of fees.

February 5, York. Hunter to Hobart (No. 28). Dispatches received; the pr leases for the Crown and Clergy Reserves approved of. Sends spe opening of the Legislature on the 27th of January.

Enclosed. Speech to the Legislature.
Address by the Council in answer.
Reply.
Address by the Assembly.
Reply.

February 15, Downing Street. Hobart to Hunter (separate). That on the arrival of Selkirk h receive a grant of 1,200 acres in any township not already approp the rest of the township to be reserved; that for each family sett may be granted 200 acres, provided he surrender 50 acres for eac family.

February 15, Downing Street. Same to same (No. 16). Respecting the settlement propos Talbot in the township of Yarmouth, in the County of Norf Lake Erie. He is to receive 5,000 acres of land and a portion next township contiguous to the grant to be reserved to be priated to him according to circumstances. Asks his opinion as policy of making further grants for the speedy settlement of the try.

March 1, Downing Street. Same to same (No. 17). The expected arrival of a body of landers, mostly Macdonnel and partly disbanded soldiers of th Glengarry Fencibles; their merit and services. They are accom by Mr. McDonnell, their late chaplain. He is to get 1,200 acre each family introduced to get 200 acres.

March 20, York. Hunter to Hobart (No. 29). Remarks on bills passed by the L ture. Sends speech on prorogation.

Enclosed. Speech.

April 13, York. Hunter to Hobart (No. 30). Regulations respecting quarant ceived.

April 18, York. Same to same (No. 31). Has learned that the requisitio goods for the Indians has been sent to the Treasury, as has also respecting the bill for £800 for church building which had b turned protested.

May 15, York. Same to same (No. 32). Acknowledges receipt of letter by that he is to obtain a grant of 5,000 acres. Steps have been ta

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reserve an additional quantity for further grants as settlers shall be introduced. Is of opinion that it would promote the prosperity of the Province and the settlement of the waste lands were further grants made to persons of property and respectability, but precautions must be taken against speculators and land jobbers, and for this purpose a condition of clearing a certain extent and settling on the property should be enforced before grants are issued. An additional security is that fees of sixpence sterling and one penny halfpenny currency an acre approach nearly to the value of the land, so that speculators by paying a little more can get rid of all conditions. Still this difference and the favour and protection of Government would lead many to prefer grants from the Crown. How the fees are disposed of. Page 54

20. Hunter to Hobart (No. 33). Sends letter from Allcock and testifies to the accuracy of its statements. Much confusion had formerly existed in the offices for the discharge of public business and this had materially injured the interests of many grantees. Much has been done and much remains to be done to remedy the evil. The zeal shown by Allcock in this respect. The great assistance he rendered before being promoted to his present position; he is well deserving of the Royal bounty which he solicits. 59

Enclosed. Allcock to Hunter, 14th May, for an addition to his salary, for reasons given. 62

24. Hunter to Hobart (No. 34). Sends copies of the Acts to which he has given the Royal assent, also of the journals of Council and Assembly. 66

Enclosed. Journal of Council from 27th January to 5th March, 1803. 67

List of the Acts assented to. 140

LIEUT. GOV. PETER HUNTER—1803.

Q. 295.

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10. Hunter to Sullivan. Acknowledges letter respecting the supply of provisions from Canada to the troops in the Province and to those in the West Indies. Will give the subject every attention in his power. Has also received order regarding Mediterranean passes. Page 1

17. Same to Hobart (No. 35). Respecting the lands to be granted to the family of the deceased Attorney General (White), the cause of the delay and the decision that the quantity is not to exceed 6,000 acres, showing that there are only 4,600 acres still to be granted. 3

20. Same to same (No. 36). Sends minutes of the Executive Council on State business from 13th July, 1801, to 29th June, 1802, and on Land matters from 1st July, 1799, to 29th December, 1801. 6

Enclosed. Minutes, 13th July. Examination of public accounts. 8 to 11

Authority from the Duke of Portland to increase the salaries of the clerks in the public offices. 12

Minutes, 17th July. Thomas Scott takes the oaths as Attorney General. 13

Opinion of Attorney General as to the claims of Mrs. Mary Rogers under the will of her late husband. 13

Opinion of the same that a deed may issue to lands on sufficient affidavit that the Land Board Certificate is lost. 16

Minutes, 18th August. Letters read from Green, private secretary to the Lieutenant Governor, addressed to Small, clerk of the Council, the first notifying the appointment of McGill to be Inspector General and Comptroller of Accounts, with directions how the accounts are to be prepared, the other that all proceedings of the Executive Council are to

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be laid before the Lieut. Governor as soon as the business they may b upon is brought to a conclusion. Page 2

Minutes, 30th September. Letter laid before Council from the Mohawk complaining of Brant's conduct. 2

Letter from the Attorney General of Lower Canada giving an accoun of a Society in Lower Canada for subverting His Majesty's Goverr ment. 2

The claims of Berczy to be considered and reported on. 2

Minutes, 14th October. Pay for crew of yacht "Toronto" author ized. 2

Minutes, 20th October. Report by Givens, agent for Indian affairs on the killing of an Indian girl by a white trader. 2

Report from Claus that disputes of the Six Nations about lands ar at an end. 2

Minutes, 31st October. Report of Council on the claims of Berczy The report gives the history of Berczy's transactions. 2

Minutes, 10th November, 1801. Application from McGill for copy of all claims allowed by the Commissioners and table of fees to be pa on grants of land; the application granted. 7

Minutes, 7th January, 1802. Pay of the crew of the yacht "Toronto" ordered. 7

Minutes, 19th January. Examination of public accounts. 7

Minutes, 2nd February. Supplementary account of the Solicitor General approved of. 7

Minutes, 16th February, 1802. Application by Jarvis, the Registrar, for registers for land grants; he is authorized to obtain the necessary books. 7

Minutes, 6th April. Instructions by the Lieut. Governor to the standing committee entered in full. 7

Report by Claus of an attempt by a man named Gilbert, to obtain lands from the Missisaugas. Givens to inquire into the matter. 8

Minutes, 13th April. Complaint by D. W. Smith of the insubordina tion of people on Yonge Street and their disregard of civil and military officers. The attempt of some of them to debauch the minds of youth. 8

Minutes, 27th April. Pay of crew of the yacht "Toronto" author ized. 8

Minutes, 4th May. Jarvis authorized to obtain boxes for holding land patents. 8

Report by Givens of Gilbert's transactions with Missisaugas on the Credit River. 8

Minutes, 11th May. Peter Russell, Receiver General, authorized to obtain stationery for his office. 8

Report of Council on the Attorney General's opinion on the case of Mrs. Mary Rogers. 8

Minutes, 9th June. Memorial praying that the bond for payment of duties on tobacco from the United States may be discharged, as no duty is exigible according to the treaty of 1794. The Council report that the question should be left to the decision of the Courts of law. 96, 10

A similar memorial presented by Thomas B. Gough, also left to the decision of the Courts. 10

Report on applications for lease of the King's Mill in Ernes Town. 10

Report approved by the Lieut. Governor. 11

Minutes, 15th June. Lieut. Governor wishes for a report of the fees to be taken on passing the leases for Crown and Cler Reserves. 11

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Minutes, 29th June. Lieut. Governor transmits proposed lease for 21 years of 200 acres of Crown and the same of Clergy Reserves, as drawn up by the Attorney General. Page 112

Minutes on Land matters from 1st July, 1799, to 29th October, 1800. 114 to 402

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January 13, Serjeants' Inn. Mr. Serjeant Samuel Shepherd to Hobart. That at the time death of White, Attorney General for Upper Canada, half a salary (£150) was due him, which was not drawn, as no power of ney was received subsequent to that event. Prays that an or issued for payment of the arrears, the executor having sent the of attorney.

January 26, London. Mr. Justice Cochrane to Hobart. Had been appointed puisné in Upper Canada, but as positive orders were sent that he was leave Prince Edward Island till Thorp, his successor, should arri had been unable to get to Upper Canada and could not now re before spring. Asks, as he was not to blame for the delay, th salary as judge in Upper Canada should be paid from the date of h pointment.

803.

ary 11, Simcoe to Hobart. Gives an account of the services, &c., of Talbot and his qualifications for settling lands in Upper Canada. His success in the cultivation of hemp has induced him to select the distant townships of Yarmouth as being suited to its growth, which he intends to extend through the whole township. Recommends that he be granted 5,000 acres in the township of Yarmouth, and that the remainder of the township be reserved for him to settle with subjects of his own selection, Talbot not to be required to pay more than half fees on the grants. 286

ary 17. Russell to Hobart. Sends memorial respecting his salaries and allowances as Executive Councillor and Receiver General, which cannot be allowed anterior to the 1st June, 1792, without the authority of the Treasury; prays that he be paid from the date his appointments were notified to him. Page 293

Enclosed. Memorial. 295

ary 22, D. W. Smith to Sullivan. Sends commission to show that he is authorized to act by deputy, in support of his application for leave of absence. He would not take advantage of this clause except for the re-establishment of his health, and prays that effect may be given to his application. 299

Enclosed. Commission. 301

Letter from Green, private secretary to Hunter, dated 14th July, 1802, addressed to Smith, approving of the selection of Chewett and Ridout as his substitutes. 303

5, Wentworth Brinley to Sullivan. Had received orders to pay salary to Cochran as judge in Upper Canada, but cannot do so till he is informed of the exact date at which Allcock entered on the duties of his office. 312

12, War Office (Lewis) to Sullivan. That Captain Sinclair has received his half pay only up to the 24th June, 1801; the amount from 1st May to that date was £814 6s. 11d. 314

16, Smith to Sullivan. Repeats his application for leave of absence. 304

Enclosed. Memorial, dated 20th January, 1803. 306

18, Brownrigg to Sullivan. Sends by permission of the Duke of York a memorial from the widow of Major Fearon, who died in the West Indies, leaving his family in indigence. The Duke has provided for two of the family in the army; it is in the hope of providing for the others that the widow has applied for a grant of land in Upper Canada. 315

Enclosed. Memorial from Margaret Fearon, widow of Lieut. Col. Fearon, Major in the 31st Regiment. 316

21, Sargent to Sullivan. The Lords of the Treasury see no objection to granting twelve months' leave of absence to D. W. Smith. 318

Lady Johnson to Sullivan. Respecting the payment of £200 to Sir John Johnson, with two years' back pay. 319

De Lancey to Sullivan. Had been unable to see him respecting the stoppage of £200 a year from Sir John Johnson, some doubt having arisen as to the authority by which the amount was to be paid. Asks for the direction of Hobart to the Lieut. Governor or officer commanding the troops to pay the amount. Forwards a letter from Lady Johnson on the subject. 321

Brindley to King. Respecting the allowance of £100 a year to Rev. Mr. Rudd, one of four clergymen to whom this amount was authorized to be paid. 322

Morice, Secretary to the Society for the Propagation of the Gospel, certifying that Mr. Rudd was in actual service during the period for which the bill was drawn. 324

Alured Clarke to Hobart. Had been unable to find papers relating to the payment of £200 additional salary to Sir John Johnson. Had no

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doubt the authority was given before or during Dorchester's gov ment, and for services rendered by Sir John, who, in his (Clarl opinion, has still the fairest claim to the liberality of the Governn

Page

May 30, Whitehall. Fawkener to Sullivan. Report of the Privy Council on bills pa by the Legislature of Upper Canada.

June 1, Treasury. Vansittart to Sullivan. Half-year's salary of £150 to be put ir estimates for the late Attorney General (White).

July 8, Quebec. Hunter to Hobart (No. 37). Dispatches received; thanks for appointment of Cochrane as one of the puisné judges. Sends an abst of the Auditor's docket books of the grants of land which have pa the Seal, between 1st January and 31st December, 1802.

Enclosed. Abstract referred to.

ABSTRACT from the Auditor's Docket Books of Grants of Land in U Canada which have passed the Great Seal of the Province betwee 1st of January and 31st of December, 1802.

Counties.	No. of Grants.	Districts.	No. of Acres.	Total No. of Grants.	Tota No. of Grant
Durham	96	Home.	26,088	517	133,
Northumberland	194		51,791		
York	227		55,538		
Lincoln	307	Niagara.	65,337	307	65,
Glengarry	116	Eastern.	21,561	353	93,
Dundas	59		15,829		
Prescott	56		25,540		
Russell	43		12,913		
Stormont	79		18,090		
Grenville	187	Johnston.	48,613	381	93,
Carleton	10		2,584		
Leeds	184		41,929		
Essex	46	Western.	12,150	138	28,
Kent	92		16,826¾		
Middlesex	39	London.	14,593	280	83,
Norfolk	157		45,245		
Oxford	84		23,380		
Frontenac	111	Midland.	20,414	516	107,
Hastings	145		26,310		
Addington and Lennox	133		29,189		
Prince Edward	127		31,208		
			Total	2,492	605

April 8th, 1803.

PETER RUSSELL,
Auditor General, l

For 2,266 of the above grants the faith of Government was pledged previous to Lieut. General Hunter's administration. The remaining 226 grants have been authorized by Orders of Council subsequent thereto.
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Hunter to Hobart (No. 38). Has received circular ordering the detention of all ships or vessels belonging to the subjects of the French or Batavian Republics arriving in any port or harbour of any colony, &c. 247

Same to same (No. 39). Has received dispatch stating that owing to the state of discussion with France, the utmost vigilance is to be observed in Upper Canada. Had also received circular that the British Ambassador had withdrawn from France, and that this is to be made public. Had also received papers respecting the discussions. The utmost vigilance shall be observed. Movements of troops; the number in Canada not equal to the ordinary military duties. 248

Same to same (No. 40). He has appointed Rev. John Strachan to be resident minister of the Church of England at Cornwall, in room of Rev. James Sutherland Rudd, removed to a living in the Province of Quebec 251

Sir F. D'Ivernois to ——— (in French). The uneasiness of the Swiss going to Kentucky on learning that on their arrival they would probably find themselves in the midst of war. Thinks Shoemaker should go by Rotterdam to warn the others of this. If it appears sufficient to lead them to give up the settlement in Kentucky and to induce them to settle in Upper Canada, it is likely on account of sympathy for them these 80 families might have lands conceded to them gratuitously, might have transport facilitated to them, and be recommended to the protection of the Governor of Canada. If these considerations are of sufficient importance, the Swiss should send a person to London, who should apply to him (D'Ivernois) who would do his best to obtain him a good reception. A small sum should be granted for the expense of a mission. Asks that he may be authorized, in name of loan, to make an advance of £20, or at least £18, in which case he would send off that evening a messenger to ascend the Rhine, to meet the people from Basle to warn them. 330

Hunter to Hobart (No. 41). Sends requisition for goods for the Indians. 252

Enclosed. Requisition. 253

Same to same. Sends report on Fort Erie by Colonel Mann, and plan. The fort is completely in ruins, so that a new establishment is necessary. The cost, it is estimated, will be £9,649 3s. Halifax currency; all the works and buildings are intended to be of durable materials, so that annual repairs will be avoided. It is proposed to carry on the work gradually, as the case may require. Approves of Mann's proposals. Prescott was authorized in 1797 to erect works where required, Fort Erie being one of these. Why nothing was done to the latter is explained in the report. 257

Enclosed. Report by Mann, dated 1st August, 1803. 260

Plan. 265

Hunter to Hobart (No. 43). Acknowledges receipt of circulars respecting the recall of Liston from the Batavian Republic, the issue of letters of marque, &c. 266

Hunter to Sullivan. In the estimates for the civil government of Upper Canada is glad to see the £800 for building churches reinserted. Shall direct Russell, Receiver General, to draw for this amount, and shall have it distributed. 270

Viscount de Vaux to Hobart. Asks that the grant of land made to him in 1794 may be confirmed, &c. 333

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December 3, London. Viscount de Vaux to Sullivan. Had learned that Hobart has no objection to renew the grant of land. Sends a second letter he had been desired to write on the subject. For further information refers to the Master of the Rolls. Page 334

December 10, York. Hunter to Hobart (No. 44). Acknowledges receipt of directions to appropriate lands for the Earl of Selkirk in his (Hobart's) letter of 28th February. Calls attention to letters still unanswered. 272

December 10, Downing Street. Hobart to Hunter (No. 19). Desires that a report be sent respecting the public uses to which Elmsley's house at York may be put, and to send an estimate of his park and town lots, in case the property may be advantageously purchased on account of Government. 274

December 28, York. Hunter to Hobart (No. 45). Has received a letter from Allcock for leave of absence for six months. Recommends that the request be granted. 275

Enclosed. Copy of Allcock's application, dated 20th December. 277

January 9, Downing Street. Hobart to Hunter (No. 20). Authorizes a change in the table of fees in the Land granting department. Cannot recommend an increase of Allcock's salary. Authorizes him (Hunter) to execute the works at Fort Erie, on the plan approved of by him. 268

March 4, Downing Street. Same to same (No. 22). Allcock to have leave of absence for six months. The allowance of the £200 a year to Sir John Johnson discontinued in consequence of a change in the direction of the Indian Department is to be continued from December, 1800. 279

No date. Letters, &c., relating to application for a grant of lands to the widow of White, late Attorney General of Upper Canada. 336, 338, 339

No date. Statement of the claims of Lieut. Col. Johnson, son of Sir John, and grandson of Sir William, and asking for an appointment in the Indian Department of Upper Canada. 340

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(The figures after the names show the pages.)

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LIEUT. GOV. PETER HUNTER—1804.

Q. 297.

1804.

January 9, Downing Street. Hobart to Hunter (No. 21). That an accurate return of every article of supply lodged in the public depots is to be made, with details. (A similar order sent to Milnes.) Page 1

February 11, York. Hunter to Hobart (No. 46). The Legislature met on the 1st instant. Sends speech at the opening. 2

Enclosed. Speech. 3

Address in reply from the Legislative Council. 5

Answer. 8

Address in reply from the Assembly. 8

Answer. 10

March 10, Downing Street. Hobart to Hunter (No. 23; No. 22 of same date in Q. 296, p. 279). The Viscount de Vaux obtained a grant in 1794 in Upper Canada, but could not then take advantage of it. He has resumed the intention to settle and is to obtain a grant in accordance with his military rank for which this is authority. 12

March 12, York. Hunter to Hobart (No. 47). Shall attend to instructions to grant land to such of the family of Barclay, Consul General in the Eastern States of America, as intend to settle in Upper Canada. 13

April 7, Downing Street. Hobart to Hunter (No. 24). The disbanded soldiers of the Glengarry Fencibles have not been able to come to Canada in a body as they intended. Mr. Macdonell, one of the ministers of their church, desires to join his countrymen already settled in Glengarry; on arrival he is to get as favourable an allotment of land as the regulations shall permit. 16

April 10, York. Hunter to Hobart (No. 48). Sends an address to His Majesty from the Legislature for aid towards erecting proper buildings for the preservation of the public records, the assembling of the Legislative Council and Assembly, for the Courts of Justice and the transaction of other public business. An Act, to be submitted, charges £400 a year on the Provincial revenue for the erection of these buildings. The inadequacy of this sum and the slow progress that could be made, would defeat the objects aimed at. There is not a single building for any one public office. The different offices are held in the private houses of the officers filling the different situations and the Executive Council meets in a small room in the clerk's house, where their discussions may be overheard. The houses are all built of wood and afford slender security to the records; the public pays for rent £350 annually. The building appropriated for the meeting of the two Houses of the Legislature, for the Court of Appeal, Court of King's Bench, District Court and Quarter Sessions, consists of two rooms erected eight or nine years ago as part of one intended for a Government House. The building is also used for a church. Its great disadvantages. The grant of £400 annually, although small, is as much as the Provincial revenues would admit of being appropriated to the purpose. The address was brought forward in consequence of the liberal aid afforded to Lower Canada, to enable the people to erect Courts of Justice in Quebec and Montreal and a church at Quebec. No estimate has yet been made of the expense of erecting these buildings. Shall obtain an estimate from Mann and forward it. For a church the inhabitants of York have subscribed liberally and are about to build one this summer. The Legislature prorogued on the 9th of March. Sends copy of his speech. 17

Enclosed. Address from the Legislative Council and Assembly to the King. 23

The same to Hunter. 26

Answer by Hunter that he will forward the address. 28

Speech on prorogation. Page 29
Hunter to Hobart (No. 49). Sends copies of eleven Acts passed during the last session, with remarks. 31
Enclosed. Journal of the Legislative Council. 43
Journal of Assembly (title only given, the journal being already among the Archives). 144
Camden to Hunter (No. 1). Dispatches to Hobart laid before the King. Sends duplicates of Hobart's letters which had not reached. 15

LIEUT. GOV. PETER HUNTER—1804.

Q. 298—1 and 2.

Hunter to Hobart (No. 50). Recommends Mr. Scott, Attorney General, to be an honorary member of the Executive Council, owing to the absence of several of the Councillors. 2
Same to same (No. 51). Sends minutes of the Executive Council on matters of State from 2nd July, 1802, to 28th January, 1804, and on land business from 5th January, 1802, to 27th December, 1803. 4
Enclosed. Minutes, 2nd July, 1802. Public accounts examined. 5
Minutes, 6th July. Report on the fees to be allowed on leases of Crown and Clergy Reserves. 8
Minutes, 7th July. Reference from the Lieut. Governor respecting fees to be charged on land grants to loyalists. 11
Report on the same. 13
Minutes, 10th July. Correspondence respecting the report on fees to loyalists. 16
Agreement dated 11th July, signed by Peter Russell, Auditor General, D. W. Smith, Surveyor General, Thomas Scott, Attorney General and John Small, Clerk of Executive Council, waiving all pretensions to fees for additional quantities to loyalists. 25
Minutes, 16th July. Reference of letter from the Secretary, Jarvis, respecting fees. 25
Decision of the Council thereon. 27
Minutes, 19th July. Intimation by the Lieut. Governor that he is proceeding to Quebec, that the standing committee of Council shall resume its powers, with the exception that John McGill, instead of being called on occasionally is to form part of the standing committee. 28
Minutes, 31st August. Order that certain proclamations are to be published. 29
Minutes, 14th October. Allcock, Chief Justice, took the oaths and his seat. 30
Minutes, 26th October. Letter from the merchants of Sandwich respecting the port of entry at Fort Erie, and praying that there should be a port of entry at Chippawa, calling attention also to various points in connection with the collection of duties, &c. 31
Report by Council. 35
Memorial from Johnstown for a port of entry at the mouth of the Gananoque River. 35
Council believes the petition should be granted. 36
Minutes, 30th October. Reports respecting the Dundas Street road. 37
Reports respecting half fees on land patents. 38
Minutes, 10th November. Application from the Government printer, for an addition to schedule prices. The Council recommends the addition of one-third. 42
Notice that persons claiming a right to Grand Isle shall be sued for its recovery. 43

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Notice that no leases granted by Indians shall be admitted or allow
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Minutes, 17th November. Application for Government still at Gibra
Point, report and recommendation.

Minutes, 29th November. Statement by the Attorney General of
difficulty of issuing fiats for lands in consequence of the imperfect
scription of the grantees.

Report by Council on the same.

Minutes, 7th December. Application for a market to be establishe
York.

Report of Council that a weekly market should be established t
held on Saturday.

Minutes, 21st December. The Council recommend that a bri
should be built over the Don for a sum not exceeding £77 10s. curre

Minutes, 30th December. Application by the Attorney General, that
same fees should be allowed to him as to the Attorney General in Lo
Canada.

Report recommending that the application be granted.

Minutes, 4th January, 1803. Account for posting proclamations rec
mended to be paid.

Examination of public accounts.

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Minutes, 10th January. Reference respecting land fees.

Report.

Minutes, 12th January. Consideration of the half fee accounts.

Minutes, 15th January. Audit of public accounts.

Minutes, 17th January. Reference by the Lieut. Governor of a le
from the officers of the land granting department.

Report on the same.

Minutes, 1st February, Extracts from Hobart's dispatches referre
Council.

1. Respecting fees on Arnold's grant of 13,400 acres; and

2. Respecting the proposed leases for Crown and Clergy Rese
which are approved of. 7

Minutes, 10th February. Andrew Mercer took the oath as ju
clerk in the Council Office.

Minutes, 13th June. Reference to the Council of correspond
respecting the granting of lands to U. E. loyalists.

Minutes, 15th June. Examination of public accounts from 1st Jan
to 30th June, 1803.

Reference to the Council of letter from the Inspector General resp
ing the payment of fees upon commissions under the Great Seal.

Appointment of John Beikie, to be first clerk of the Executive Cou
vice Alexander McDonell, resigned, and Andrew Mercer to be re
clerk *vice* Mercer, promoted.

Minutes, 16th June. Auditing accounts.

Reference of the claims of the Five Nations respecting lands o
Grand River.

Minutes, 17th June. Auditing accounts.

Minutes, 18th June. Auditing accounts.

Minutes, 20th June. Auditing accounts.

Minutes, 21st June. Auditing accounts.

Minutes, 24th June. Auditing accounts.

Reference to Council of letter from Lord Hobart respecting land
the widow of White, Attorney General.

Report on the claims of the Grand River Indians.

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Minutes, 28th July. Thomas Cochran admitted as a puisné judge of Upper Canada. Page 106
Minutes, 22nd September. Reference respecting rents arising from Crown and Clergy Reserves. 109
Report on the same, with schedules. 110
Minutes, 30th September. Motion to grant to the Chief Justice and other Councillors (named) the plot of ground at York set aside for a market, to be held by the grantees as a trust for the public benefit, and that the market should be established by proclamation. 117
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Minutes, 16th January. Examination continued. 125
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The following are the names of persons expunged from the U. E. list, as recommended by report of Council dated 23rd May, 1802. These are not included in the ordinary alphabetical list, and are to be found in Series Q., Vol. 198-1, pp. 192 to 208.

A.—Abbot, Joseph; Alexander, Hugh; Algire, Jacob, jun.; Allan, John, Jonathan; Aman, John, Jacob; Amery, John; Anderson, George, James, John, Joseph, Richard, Thomas G.; Appleby, William; Asselstine, Isaac.

B.—Badderly, Michael; Baker, Adam, jun., John; Burton, John; Barton, Joseph; Basteder, David; Beardsley, Crammel B.; Bell, William; Bender, Tunis; Benson, Cornelius; Benth, John; Berton, David; Bird, Thomas, jun.; Birdsall, Jeremiah; Blakely, Margaret, *alias* Flynn; Blanchard, William; Boice, John; Booth, Charles, Isaac, Phebe, Samuel, Vincent; Boss, Elizabeth; Bowen, son of William Victor; Brannan, William; Brants, Henry; Brewer, Lazarus; Birscoe, Nathan; Brown, Edward, Jesse, jun., Nathaniel; Bruce, David, Margaret, Margaret, jun., Sally, William; Buck, Mehitable; Buel, Jonathan; Bull, Berer or Briar; Burch, Martha; Burges, Dennis; Burley, John; Burritt, Daniel; Bush, Henry; Butler, Freelove, jun.

C.—Cadman, Alphus; Cain, John; Campbell, Alexander, jun., Elizabeth, Hugh, William; Cameron, Alexander, jun., Donald, Hugh, Jacob, John, John, jun., (3) William; Carman, Michael; Carr, David, jun., Josiah, jun.; Cashin, John; Casselman, Suffrenus, jun.; Chambers, James; Chisholm, Alexander, Archibald, Lewis; Christie, Abijah, John, jun.; Church, Oliver, jun.; Clandennen, Abraham, John, ——; Clark, Matthew; Cline, George, John; Coghill, George, jun.; Cole, Bernard; Collins, John; Conlon, Michael; Cook, Michael; Corben, Daniel; Colter, James, jun.; Countryman, Conrodt, Jacob, jun.; Cox, Samuel; Crippen, Darius; Crowder, William C., jun.; Cruickshank, Widow; Cryderman, Widow, Catherine, Hermanus, Joseph; Crysler, John, jun.; Cummings, Mrs. Jane; Curry, George, John, *alias* Picard, M.

D.—Danley, Christopher; Davis, Henry, Isaac, Richard; Decon, Jacob; Deforest, Rebecca; Denault, Joachim; Detlor, John, Samuel; Diamond, Jacob, jun.; Dickson, Francis; Dies, Matthew, jun.; Disman, Timothy; Dixon, Robert, jun.; Donahore, John; Dougall, William; Dulmage, Elias, Philip; Dunn, James, jun.; Dulyea, Peter, jun.; Duynes, Martin.

E.—Elliott, Jacob; Emery, William, jun.; Empey, William, jun.

F.—Fairfield, Jonathan, Stephen, William; Falkner, Joseph; Farlinger, John, jun., Nicholas; Farrington, Samuel; Fearman, John; Ferguson, Alexander, jun., Peter, Rozel; Ferrier, John; Finch, James; Finney, George; Fisher, Daniel; Fitzpatrick, William; Flynn, John; Fortune, Joseph; Francis, Mrs. Catherine; Franklin, Joseph, jun.; Fraser, Angus, Daniel, John, *alias* McNeal, Mary, Thomas, William, jun.; Freke, Everhart; French, Albert; Frey, Philip; Fulford, Jonathan, jun.

G.—Gilchrist, Archibald; Graham, John, *alias* McDonell, Isabella, Murdoch; Grant, Alexander (2), Donald, jun., Duncan (2), James, John, Lewis, Peter (3), William; Grass, now Wartman, Eve, John, Lewis, Mary; Grunep, or Gulep, ——; Grey, John.

H.—Hamblin, Francis; Harrison, Benjamin; Hardy, John; Hare, Barney, William; Harlow, William; Harris, David; Haskins, David, Nicholas; Hatt, Samuel; Havens, Robert; Haveiland, Herman, jun.; Hawley, Davis, Russell, Sheldon; Henderson, David; Herchmer, *alias* Markland, Catherine, *alias* Anderson, Jane, Jacob, Joseph, Lawrence, Nicholas, *alias* Hamilton, Mary; Hesse, Andrew; Hewitt, Jacob; Hicks, Daniel, David, Joseph; Hill, John, jun.; Hilts, Joseph; Hoffman, Elias, Jacob; Hoyle, Bostion, James; Hoskins, Leda; Hover, Jacob, Henry;

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Hough, Isaac; Howard, John, jun., Peter; Hubert, Thomas; Hu
Christopher; Hunter, David.

I.—Irish, Peter.

J.—Johnson, Daniel; Johnston, James, Magdalene, Margaret; .
David, Mrs. Jane, Mary, sen., Mary, jun.; Judson, Silas.

K.—Kellar, Philip Martin; Kelly, Patk.; Kelsey (or Calsey), Wil
Kelsie, James; Kemp, John; Kenny, James; Kestler, Michael; Ki
Benjamin; Kirby, Elizabeth.

L.—Lake, John, jun.; Law, Mrs. Elizabeth; Leaky, William,
Livingston, John, *alias* Muchmore, Mary, Neal; Lockwood, D
Loeny, Edward, Samuel, William; Lorimer, Chevallier; Lovell, .
Lucas, George.

Mc.—McBane, Richard, John; McCaulay, Ann; McCuin, David
McDonell, Alexander (2), Capt. Allen, Allen (2), Angus (2), Du
James, John (2), Lieut. Ranald, Ensign Ranald, Roderick, Wil
McGilles, Donald, jun., Duncan; McGloghlin, David, Robert; McGr
Hugh; McGruer, Alexander; McIntosh, Benjamin, Donald, John
Lauchlin; McIntire, Duncan, jun., Jesse; McKay, John, William
Kenzie, Collin, jun., John; McKimm, James, jun.; McLean, D
jun., John, William; McLeland, John, jun.; McLeod, William; Mc
John; McNeil, Archibald; McRobert, Mary.

M.—Maine, Thomas, sen., Thomas, jun.; Mallory, Nathaniel; M
Jeremiah, William, jun.; Mattice, John; Meddough, John, jun.; M
Jacob, jun.; Myers, George W.; Millard, Corporal Daniel, Jesse; M
Jebida or Jebul; Millross, John, Thomas, William; Mitchell, Ge
Harvey, Zalmon; Moor, Dudley; Most, John; Mott, Edmund; M
Henry, John; Murchison, William; Murdoff, George, jun., John; Mu
Lieut. Duncan, Quartermaster John.

N.—North, Thomas.

O.—O'Brien, John; Ogden, John, Orser, Arthur, Gilbert,
Solomon; Otto, Gotlep; Overholt, Mrs. Elizabeth.

P.—Palmer, David, John; Parish, William; Parks, Nathan,
Parlow, John; Puttingae, Jacob; Pell, Jonathan, Joseph; Pen
Philemon; Perry, Robert, jun., William, jun.; Phifer, Frederick; Ph
now Merritt, Mary; Plato, Peter; Powley, Jacob; Prescod or Pr
John, jun.; Proctor, Joseph; Prunner, or Brunner, Peter, jun.; Pu
Cornelius; Purdy, Gilbert.

R.—Ramburgh, David; Reddick, Adam; Reddie, Philip; Reide, M
Richard, John, jun.; Richardson, Henry, Thomas; Rimmerman, H
Richner, Henry (2), Robertson, James; Robins, William; Roblin,
P., Owen, jun.; Rose, David, Samuel; Ross, Alexander, Donald, Ge
Rossell, Rosewell.

S.—Sacheverell, Mrs. Jane; Saunders, Henry; Saunderson, The
Secord, Peter, jun.; Shaver, William; Sheck, David; Shehan,
Walter Buller; Shew, Ezekial, jun.; Shoeman, Martin; Shorey,
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rence; Silmesmer, Nicholas; Simmon, David; Simmons, Caleb; Sim
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(2), Terence, Thomas, Thomas Yonge; Sowils, or Soles, John, Wi
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Peter; Summers, David; Swazee, Caleb, Richard, Samuel.

T.—Taylor, William, jun.; Thompson, John, Robert; Thresser,
dock; Throop, Daniel; Tillibough, Christian, jun., Peter; Tuttle, Jona

V.—Valentine (Widow C.); Vanalstine, Alexander, Cornelius, I
Vanderlip, Elizabeth, Mary; Vanduser, Caspems or Gasper; Veut, J

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W.—Waggoner, Henry, Jacob, jun.; Walker, Daniel; Weiden, William; Walliser, Anthony, jun.; Warner, George Michael, jun.; Welch, William; West, John, jun.; White, Joseph, jun; Whitsell, Nicholas; Wilcocks, Hagud or Hagard; Williams, Elijah, James, John, jun., Rachael; Wing, Gersham; Wintermute, Mary; Wood, Jonas, Nathan, Roger, William; Woodcock, John; Wright, Asel, David, Daniel, James, Samuel, jun., Sylvester, William.

Y.—Young, George, Henry, jun. (2), John, jun., Peter, jun.

LIEUT. GOV. PETER HUNTER AND MISCELLANEOUS.—1804.

1804. Q. 299.

W. Johnson, Lt. Colonel, 28th Regiment, to Hobart. That he had been promised an answer in six months, relative to his application for employment in Canada, and that the Governor should be written to on the subject. His father, Sir John Johnson, had written that the Governor had not heard of his application. The sacrifices made by his family. He himself had for eleven years attended to his duty in the army to the neglect of his private affairs. He now desires to return to Canada and trusts to be appointed to a situation under Government. Orders to pay Sir John Johnson the £200 a year stopped for three years; orders to continue the payment stated to have been sent, but he had not received payment. Sends extract from a letter of his father's respecting his services. Page 177

D. W. Smith to Sullivan. That the bill he had drawn for his half-year's salary had not been accepted, as the agent desired to have an additional authority for the payment, believing that the first order only applied to the salary then due. Asks that the necessary order be sent. Would have applied personally, but the state of his health prevents his doing so. 182

Camden to Hunter (No. 7). Dispatches received. Shall be able to send instructions on several points, when Allcock returns to Upper Canada. Is concerned at the loss of Cochran, Gray and others on Lake Ontario. 175

Vicomte de Vaux to Sullivan. Thanks for the confirmation of his grant; intends to sail on the 29th of April, and asks for letters of recommendation, that he may obtain the same assistance as that granted to De Puisaye. Encloses a memorial to Lord Hobart, and asks that a favourable answer be obtained. 186

Enclosed. Memorial of same date. 188

Rev. Alexander Macdonell to Sullivan. In accordance with the desire that the Scotch Catholics in Canada should be under the spiritual direction of pastors selected from their own countrymen and educated in Great Britain, he is ready to sail by the first vessel from the Clyde to Quebec or Montreal, and only waits for letters to Governor Hunter. Should the expense of a schoolmaster be defrayed, he could bring a qualified person for that important charge. Shall leave the question of assistance to build a house and other indulgences to himself (Sullivan) and to the favourable reports of Hunter. 184

D. W. Smith to Sullivan. Sends additional certificates of the state of his health, which, with documents previously sent, he requests may be submitted to Hobart. 190

Enclosed. Copies of certificates from Major Hill, Captain Pilkington and A. Auldjo. 191 to 193

John Sargent to Sullivan. Desires Hobart's opinion on application by Vicomte de Vaux for assistance to enable him to go to Canada. 194

1804.

April 30, London. Duke of Kent to Sullivan. Encloses memorial from Davidson and Walker, surgeons, for payment of the arrears due to them of salary which had been reduced on the disbandment of the Royal Canadian Volunteers. Payment is recommended to be made from the military chest by Lieut. General Hunter. Page 193

Enclosed. Memorial from James Walker and James Davidson, surgeons. 196

Letter to Walker that he had been appointed, dated 11th May, 1795. 200

Order as to the method of accounting, dated 21st January, 1799, addressed to Taylor, paymaster of the late 2nd battalion R. C. V. 202

Letter from the War Office to Davidson, dated 4th January, 1803, that the R. C. V. do not belong to the military establishment within the cognizance of the department. 204

Substance of Windham's letter of 6th July, 1797, respecting the pay and allowance of surgeons. 205

James Davidson to the Secretary at War, dated 31st December, 1802, respecting his pay and asking for payment of the arrears. 206

Certificate by Taylor, paymaster of the late 2nd battalion R. C. V., of the payment of subsistence to Davidson, surgeon. 208

May 7, London. D. W. Smith to Sullivan. His gratitude for the kindness shown him; shall continue the exercise of the sentiments which have been the rule of his conduct, &c. 180

May 12, Treasury. Sargent to same. That D. W. Smith has been allowed to resign his office of Surveyor General and is to receive £200 per annum from the date of resignation. 211

May 14, Bath. Memorial of the Misses Clarke, daughters of the late Major John Clarke, praying for land in Canada; their destitute condition since the death of their mother, when her pension ceased. 213

May 15, Bath. Misses Clarke to Sullivan. Transmitting memorial for land and asking for his influence. 213

May —. Mrs. White, widow of the Attorney General, stating that the land granted to her and her family can neither be let nor sold, and praying that an allowance, annual or otherwise, be made commensurate to the ultimate value of the land. 209

June 2, Edinburgh. Lord Moira to Camden. Introduces Norton, a chief of the Six Nation Indians, and encloses letter of recommendation in favour of Norton, written by Joseph Brant. 210

Enclosed. Brant to Lord Moira, dated Niagara, 20th February, 1804, introducing Norton. 217

Memorial on behalf of the Six Nations to have the transfer of lands settled, so that they may obtain the benefit. 218

Another memorial to have the grant by Haldimand confirmed in its full extent. 22[illegible]

June 4, Quebec. Hunter to Hobart (No. 52). In reference to the application of Elmsley praying that his house be purchased on account of Government shall defer reporting on that, and also to have his park and town lots in York valued, until he have the assistance of Capt. Nicholls, of the Royal Engineers, now at the Island of St. Joseph.

June 5, Quebec. Same to Sullivan. Acknowledging receipt of King's speech and addresses in reply.

June 6, Quebec. Same to Hobart (No. 53). Has given directions respecting the alteration of land fees, as ordered in letter No. 20 of the 9th January. That no expense, beyond what is absolutely required, shall be incurred on account of works at Fort Erie. Transmits abstract of grants of land between 1st January and 31st December, 1803.

804.

ABSTRACT from the Auditor's Docket Books of grants of Land in Upper Canada which have passed the great Seal of the Province between the 1st of January and 31st of December, 1803.

Counties.	Number of Grants.	Districts.	Number of Acres.	Total Number of Grants.	Total Number of Acres Granted.
York	214	Home.	47,339½	214	47,339½
Durham	28	Newcastle.	6,053	90	20,382
Northumberland	62		14,329		
Lincoln	147	Niagara.	32,771	147	32,771
Glengarry	142	Eastern.	25,604	427	92,860
Dundas	114		29,269		
Prescott	25		10,650		
Russell	42		11,350		
Stormont	104		15,787		
Grenville	248	Johnston.	55,185	470	100,743
Carleton	7		2,800		
Leeds	215		42,758		
Essex	58	Western.	12,658	109	27,460
Kent	51		14,802		
Middlesex	6	London.	1,300	86	35,955
Norfolk	35		10,192		
Oxford	45		24,463		
Frontenac	104	Midland.	15,619	422	80,558
Hastings	40		13,500		
Addington and Lennox	171		30,288		
Prince Edward	107		21,151		
			Total..	1,965	438,068½

For 1,673 of the above grants the faith of Government was pledged previous to the commencement of Lieut. General Hunter's administration. The remaining 292 grants have been authorized under Orders of Council subsequent thereto.

PETER RUSSELL,
Auditor General, U.C.

12, ec. Hunter to Hobart (No. 54). Has given orders to prepare a list of every article of supply in the public depots; it will require considerable time before the accounts can be collected. Sends general information in the meantime and sends list of demands made for the year 1804, which show the nature of the stores. Page 9

1804.

Enclosed. Demand of stores for the several military departm namely:

Engineers. P

Marine.

Bateau service.

Return of clothing, &c., for the Canadian Militia, imported in 179

Return of clothing, &c., for the battalions of Royal Canadian V teers, imported in 1802.

Remains of Hospital stores of those imported in 1797.

Return of sea bedding.

Return of hospital bedding, dresses, &c., received 2nd Nove 1803.

Return of medicine, &c., received same date.

Estimate of provisions to victual 3,500 men in Canada, from April, 1803, to 1st October, 1805.

June 13, London. DeVaux to Cooke. Asks that the quantity of land he is to rece settled and that he be furnished with a letter to Hunter stating def the quantity he is to obtain and the other conditions.

June 13, London. Same to Camden. On the same subject.

June 18, Quebec. Hunter to Hobart (No. 55). Acknowledging receipt of di authorizing leave of absence to Allcock and payment of the add allowance of £200 a year to Sir John Johnson, to be continued t from 24th December, 1800. Since the change in the direction Indian Department, no authority could be found to pay this £20 tional. It has now been ordered.

June 19, Quebec. Same to same (No. 56). Dispatch (No. 23) of 10th March re authorizing a grant to the Vicomte De Vaux of land in Upper C Has not yet received information of the naturalization of the F emigrants who came with De Puisaye, so that he is unable to patents for their lands. The regulations for granting lands do n tend to a rank beyond that of field officer; must, therefore, ask instructions in the case of Vicomte de Vaux.

June 20, Quebec. Same to same (No. 57). Had received dispatch that the Glet Fencibles had been prevented by circumstances from coming to in a body in Canada, but that Mr. Macdonell, a minister of their c was desirous to join his countrymen already settled in the dist Glengarry. Shall pay Mr. Macdonell every attention. Regre the Fencibles are not coming; their good conduct whilst serving him in Ireland in 1798.

July 2, London. Alexander Davison to King. Asks him to give Norton what ance he conveniently can in respect to the land the Six N occupy.

July 18, Quebec. Hunter to Hobart (No. 58). Sends requisition for goods to stores with presents for the Indians.

Enclosed. Requisition.

July 25, Quebec. Hunter to Hobart (No. 59). Transmits letter from Mann, resp the sum that will be required for the erection of public building estimated amount is £15,120 sterling. Should the measure be ap no more would be required yearly than would be necessary for th ment of work actually performed.

Enclosed. Mann to Green, Military Secretary, dated 16th July, a general outline of what would be required in the public building posed, with the probable cost.

June 26, London. Hugh McDonell to Cooke. States his services with the Royal dian Volunteers and asks that the pay withheld from him as A General of Militia be paid up till the time of Hunter's arrival t command.

R

1804.

Simcoe to Hobart, dated Wolford Lodge, 1st May. Respecting the services of McDonell, the arrangements for pay, &c. Page 234

ust 2, ning t. Camden to Hunter (No. 3). Dispatches received. An estimate of the expense of erecting public buildings must be sent before any determination can be come to respecting the aid asked for. Has transmitted recommendation that Scott be appointed an honorary member of the Council. Expects to receive detailed account of the public stores in Canada. Is not informed of the quantity of land granted to De Puisaye on his arrival in Canada, but a like extent is to be granted to Vicomte de Vaux. To enable the French emigrants to obtain patents is it proposed that he (Hunter) should be authorized to grant letters of denization should that be judged sufficient. Authorizes him to pay Captain Hugh McDonell the sum of five shillings a day from the 1st of June, 1795, to the date of his (Hunter's) arrival in 1799, when McDonell ceased to be Adjutant General. Sends copy of representation by Norton on behalf of the Six Nations, respecting which he is to transmit the fullest possible information. 51

ust 7, c. Hunter to Hobart (No. 60). Transmits reports and plans prepared by Mann, namely:

1. Report on the situation and circumstances of the military post of St. John's, on the River Chambly, in Lower Canada, with a proposal to construct a new fort and the necessary buildings; plan to accompany the same.

2. Report on the defences of the city of Quebec, the present state of the fortifications and an explanation of the new works and alterations proposed, with four papers of plans and sections. Remarks on the report. The ruinous state of St. John's; the estimate of the expense there is £20,233 sterling, but only such proportion would be called for as would be required during the year. Strongly recommends that Mann's proposals with respect to Quebec should be carried out, as he entirely agrees with the statements made. The object cannot be obtained at less expense than the estimate of £86,485 sterling, for reasons given. Strongly recommends that Mann be employed to carry the work into execution, as his experience and qualifications render him the most eligible. 67

Enclosed. Letter from Mann, 1st July, respecting the fortifications at St. John's, giving details and referring to previous reports. 72

Plan of works at St. John's. 81*a*

Plan of the town and fortifications of Montreal (1802). 81*b*

Report on the defences of Quebec, the present state of the fortifications, &c. 82 to 105

Opinion of the Attorney General respecting the ground lying contiguous to the fortifications of Quebec, dated 1st August, 1804. 107

st 10, c. Hunter to Hobart (No. 61). Sends reports by the commanding Engineer relative to reserves for military purposes necessary at Montreal, and on the lands and buildings at Quebec and vicinity belonging to the late Order of the Jesuits necessary for the same purposes. Agrees with the report and ordered copies to be sent to Sir Robert Shore Milnes to carry out the necessary steps, but as a considerable time has elapsed thinks it desirable to bring the business before His Lordship, to have directions issued on the subject, so that the ground round the Jesuit College, now used as a barrack, may be appropriated for a parade ground. 111

Enclosed. Report by Mann, dated 11th November, 1802, respecting the removal of the walls, &c., round Montreal and the reserves that are required. (For plan see p. 81*b*.) 114

Report by Mann, dated 15th January, 1800, respecting the Jesuit estates and what portions should be reserved for military purposes. 119

1804.

August 18. Order-in-Council appointing Thomas Scott, Attorney General of Upper Canada, to be an honorary member of the Executive Council. Page 321

August 22, London. DeVaux to Camden. Further respecting the grant of land, which he cannot go to secure without assistance, and asks that in the letter to Hunter there may be added to the expression in Hobart's letter, the words: "or to any person coming from his part and in his name." He could thus obtain an advance on the land. 323

September 2, York. Hunter to same (No. 1). Has received circular that the seals of the Colonial Department have been placed in His Lordship's hands. 123

September 3, York. Same to same (No. 2). Dispatches received, among which is one intimating that the Acts passed at the last meeting of the Legislature had been submitted to the King in Council and that they did not appear to be liable to any objection. 124

September 5, London. Norton to Cooke. That as there is the appearance of an invasion, will remain till the advanced season might render it impossible. Asks that he may be supplied with duplicate of letter written to him that he may transmit it to Canada. Calls attention to the promise of an allowance. 325

September 6, Downing Street. Camden to Hunter (No. 4). That eleven Acts passed by the Legislature of Upper Canada had been submitted to Council and that no objections were found to them. 125

September 10, Fulham. Norton to Cooke. Had received answer to his letter, the chief subject of which was in reference to the few words about an allowance. His reason for remaining was to offer his services in event of war. The object of his crossing the sea was to secure the Six Nations in the peaceable enjoyment of their property and to bind anew the links of friendship. It is reasonable to suppose that before he shall return he should like to know how far the desired end had been accomplished. 326

September 12, York. Hunter to Camden (No. 3). Encloses report of the Executive Council on the proposed alteration of fees in the land granting department, and a complete table of the fees, &c. 128

Enclosed. Extract of a letter from Hobart to Hunter on the subject of fees, dated 9th January, 1804. 130

Report of the Executive Council on the same subject, dated 6th July, 1804. 131

Tables of fees. 135 to 139

September 15, York. Hunter to Camden (No. 4). Refers to correspondence in 1801 and 1802, respecting the establishment of a Court of Chancery, which was disapproved of. Subsequent letters not answered; refers to Allcock, who is going to London, for information on the subject. The necessity for the establishment of a Court of Chancery has greatly increased since the date of the first letter to the Duke of Portland. Sends also report on Indian lands which the administrator (Russell) had agreed to sell previous to his (Hunter's) arrival in the country. 140

Enclosed. Report of Executive Council, 24th June, 1803, on Indian lands. 144 to 163

September 18, London. Norton to Camden. Had he foreseen the obstacle raised by the want of the deed of grant to the lands on the Grand River, he could have brought a certified copy from the Secretary of Upper Canada. Has been informed that orders have been sent to redress all the injury done to the Mohawks, but he had seen previous orders to the same effect not attended to. He, therefore, feels reluctant to leave until he knows precisely how far he has been successful. Desires to have the grant made by Haldimand confirmed, or to order the Administration of Upper Canada to give a legal deed in conformity to the full intent and meaning of the brief granted issued by Haldimand. If not, then it must be supposed that the liberality of Governor Haldimand was thought improper.

The Six Nations hope that this is not the sentiment that prevails. Further to the same effect. Page 336
20, Hunter to Camden. Introduces Chief Justice Allcock; his services. Recommends that the augmentation of his salary asked for should be granted. 164
Enclosed. Copy of letter from Hunter to Hobart, dated 20th May, 1803, respecting the services of Allcock. 166
Copy of letter, Allcock to Hunter, dated 14th May, 1803, respecting an increase to his salary. 168
30, Prescott to Cooke. Respecting Elliott's dismissal, which took place seven years ago. He shall look up the papers relating to it and bring them to Downing Street by the 5th of October. 342
—, Norton to the Privy Council. Statement of the case for the Six Nation Indians. 329
Sturges Bourne to Cooke. Sends letter from Hunter, with requisitions to be submitted to Camden. 343
Enclosed. Demand for stores:
Engineer's Department. 345
Marine Department. 351
Barrack Department. 355
Military Secretary's Office. 557
Inspector General's Office. 358
Storekeeper General. 359
Engineer's Department. 360
Drawing Room. 361
Commanding Officers. 362
Town Majors. 362
Deputy Quartermaster General. 363
Commissary of Accounts. 363
Commissary General. 364
Deputy Paymaster General. 366
Receiver General, U.C. 366
Surveyor General, U.C. 367
Indian Department, U.C. 368
Deputy Barrackmaster General. 369
Camden to Hunter (No. 5). Requisition for the supply of goods for presents to the Indians transmitted to the Treasury. Shall communicate with the same respecting the public buildings for Upper Canada 66
Hunter to Cooke. Had received letter intimating that the House of Commons had voted £8,050 for the civil establishment of Upper Canada. 171
Mathew Elliott to Camden. Enclosing certificates from Sir John Johnson, which he asks may be put with other papers. 240
Enclosed. Certificates and correspondence respecting Elliott's services, his disputes with McLean commanding at Amherstburg, &c. 241 to 320
6, J. W. Gordon to Cooke. Transmits letter from Lieut. Gen. Morse covering one from Major General Mann, recommended to the favourable consideration of Camden. 372
Enclosed. Morse to Gordon, with Mann's letter. 373
Mann to Morse, 3rd November. For the pay of a Brigadier General from the time Major General ceased to receive it (24th December, 1801), to the time that he (Mann) left Canada on the 20th of August, 1804. 374
6, Vicomte de Vaux to Camden. Respecting the grant promised to him; the loss he had sustained in consequence. Repeats his request to receive the same allowances as those granted to De Puisaye. 401

1804.

Enclosed. Extract from a letter (in French) received from a proprietor, pointing out the difficulties in the way of settlement, &c. Page 407

November 8, Isle of Wight. Memorial of John Cockburn, on behalf of his brother and himself, for a grant of land in the Bay of Chaleurs. 386

November 12, York. Hunter to Camden (No. 5). Judge Cochran, Gray, Solicitor General and others, about 20 in all including the crew, sailed in H. M. Schooner "Speedy" on the 7th October and have not since been heard of. There is no doubt they all perished on Lake Ontario, but no one survived to tell how. Requests that a suitable person be sent to fill the office of judge, and it is desirable that that be done as speedily as possible. Allcock, the Chief Justice, will be in London when this arrives, and is well qualified to give the information required on this subject. 172

November 14. Horse Guards. Gordon to Cooke. Transmits letter from Lieut. General Hunter respecting Mann and also Mann's memorial. 378

Enclosed. Hunter to Colonel Clinton, dated Quebec, 10th August, 1804. Respecting Mann's services, &c. 379

Mann's memorial to the Duke of York, dated Quebec, 9th August, 1804, for the pay of Brigadier General on the staff of Canada. 382

November 15, Downing Street. Cooke to Gordon. In accordance with memorial, reports, &c., instructions will be given to issue to Major General Mann the pay of a Brigadier General on the staff of Canada from the period Major General Burton ceased to receive his staff appointments in that command. 376

November 29, Bath. Misses Clarke to Camden. State their distressing situation and pray for a grant of land to relieve them from their necessitous condition. 392

December 6, Downing Street. Camden to Hunter (No. 6). Dispatches 49 and 51 received. The Acts transmitted have been referred to the Lords of Trade. The pay of a Brigadier General on the staff to be issued to Major General Mann, from the time Major General Burton ceased to draw staff pay. Transmits memorial for lands from P. Cockburn on behalf of himself and brother residing in the Bay of Chaleurs. 54

December 15, Bath. Misses Clarke to Camden. Thanks for his kindness; they repeat their request for a grant of land. 396

November 18, London. Vicomte de Vaux to Camden (in French). Sends a proof of his literary labours; explains the use of his cosmographic columns, which will be of service to navigators as well as to all students. Would be happy to receive an answer to previous memorials. 399

LIEUT. GOV. PETER HUNTER—1805.

Q. 300.

1805.

January 5, York. Hunter to Camden (No. 7). Dispatch received, stating that no objection had been found to the Acts passed at last session. 1

January 15, York. Same to same (No. 8). Dispatches received. Of the two sent by him (Hunter) not received, one (49) contained copies of Acts, &c., and the other (51) contained minutes of the Executive Council; both were put on board H.M.S. "Eurydice." Sends returns of public stores, &c., as required. Remarks on lands granted to De Puisaye, allowances, &c. On the arrival of De Vaux he will receive the same quantity of land as that allotted to De Puisaye, which would be 1,000 acres to himself and 50 acres to each of his family. Order issued to Hugh McDonell's agent for a warrant for one dollar a day from 1st June, 1795, to 2nd August, 1799. The reasons for not paying him will appear from statement of John McGill, Inspector of the Provincial accounts. 2

Enclosed. General return of Ordnance, &c., in the garrison of Quebec. 9 to 55

Remains of stores at York, shipped at London in 1792 and 1894. Page 56 to 63
Return of stores in charge of McGill, shipped from London for loyalists in 1792, and forwarded from Kingston to York in May, 1803. 64, 65
Return of stores issued to persons at York who are to return or pay for them. 67, 68
Extract of letter from Hunter to Portland, 2nd September, 1801, with list of quantities of lands to be granted to officers, privates, &c., with De Puisaye. 70
Ranks of the officers, &c., with De Puisaye. 72
Other correspondence relating to French royalists. 74 to 76
Copies of Acts for the regulation of the militia, sent by McGill in relation to Hugh McDonell's claim. 77
General return of stores remaining at the several posts and garrisons in Upper and Lower Canada on the 24th December, 1803. The posts named are: Quebec, William Henry, Montreal, St. John's, Kingston, and Fort George (with the dependencies of these four), York, Amherstburg and dependencies. 82 to 105
Return of stores at Quebec on 24th December, 1803, exclusive of those in the preceding return. 106 to 112
Return of barrack stores at the posts and garrisons in Upper and Lower Canada on 24th December, 1803. 113 to 116
General return of provisions and stores at the posts in Upper and Lower Canada, 24th December, 1803. 117
Proceedings of a Board of Survey on Ordnance and Ordnance stores, York, 5th July, 1804. 119 to 122
Proceedings of a Board of Survey on Ordnance, &c., St. John's, 26th June, 1804. 123 to 130
Return of iron ordnance, &c., to complete the schooner "Maria" at St. John's. 131
Same for the "Royal Edward." 132
The same for the row galley "Tickler." 134
Return of ordnance, &c., to remain at St. John's for naval purposes. 135
Minutes of Board of Survey held at Chambly, 30th June, 1804. 138
Report of a Board at Kingston, 3rd July. 143 to 159
Report of a Board at Montreal, 27th June. 160 to 165
Report of a Board at Amherstburg, 12th August, 1804. 166 to 183
Report of a Board at St. Joseph's, 8th August. 184 to 186
Report of a Board at Fort George, 9th July (includes Lake Marine). 187 to 209
16, Hunter to Camden (No. 10). Dispatches received. Opening of the Legislature; sends speech, addresses, &c. 210
Enclosed. Speech at the opening of the Legislature. 212
Address by the Legislative Council in reply. 214
Answer. 216
Address of the Assembly. 217
Answer. 218
Hunter to Camden (No. 11). Prorogation of the Legislature; sends speech and schedule of the Acts passed and assented to. 219
Enclosed. Speech on prorogation. 221
Schedule of bills passed. 223
Hunter to Camden (No. 12). That he had found it necessary to appoint an additional member of the Executive Council for reasons given in detail. Had appointed Scott, Attorney General, and recommends that the appointment should be confirmed. 226

1805.

May 7, York. Hunter to Camden (No. 14). Sends resignation of Lieut. Colonel of the situation of Executive Councillor, the salary of £100 a year incompatible with his receiving half-pay as a captain of the Q Rangers. Recommends John McGill to succeed; his qualification Pag

Enclosed. Letter of resignation of Shaw, dated 29th April.

May 17, York. Hunter to Camden (No. 15). Dispatch received. Shall iss directed, the pay of a Brigadier General on the staff to Mann, fro date that Burton ceased to received the same. Has transferred mer from Cockburn for lands in Nova Scotia to Milnes. Has not yet le of the decision on the petition for aid to erect public buildings.

May 18, York. Same to same (No. 16). Had received circular containing ord detain all Spanish ships within the limits of any of the ports, &c., Majesty's dominions abroad.

June 23, Quebec. Same to same (No. 17). Has received circular respecting the de tion of war with Spain, the same to be made public.

June 24, Quebec. Same to Cooke. Has received dispatch with the King's spec opening Parliament on the 15th of January, and addresses in Had also received circular respecting the actual beginning of hos by Spain against Britain, and a letter that £8,379 6s. 3½d. had been for the civil establishment of Canada from 1st January to 31st Dec 1805, with copy of the estimate.

June 25, Quebec. Samo to Camden (No. 18). Had received letter that full instru would be sent by Allcock on points relative to Upper Canada wh quired decision and information that Darcy Boulton had been app to succeed Gray as Solicitor General.

July 3, Downing Street. Camden to Hunter (No. 8). Sends copy of report by the At and Solicitor General, as to a colonial law for enabling His Maje make grants of lands to aliens in Upper Canada, and desiring h direct the Attorney General of the Province to prepare a bill fo mission to the Legislature.

(This report is in Q. 303, p. 88.)

July 3, Downing Street. Camden to Hunter (No. 9). That he is to take steps for the se of the ammunition at Quebec, until the plans for its defence can be d upon.

July 25, Quebec. Hunter to Camden (No. 19). Transmits requisition for goods used as presents for the Indians.

Enclosed. Requisition.

August 1, Quebec. Hunter to Camden (No. 20). Sends copies of the Acts to wh had given the Royal assent, and of the Journals of Council and bly.

Enclosed. Journals of the Legislative Council from 1st Febru 2nd March. 248

Journal of Assembly (title only).

LIEUT. GOV. PETER HUNTER—1805.

Q. 301.

1805.

August 1, Quebec. Hunter to Camden (No. 21). Sends minutes of Executive Cou State matters, from 28th February to 13th December, 1804, and c matters, from 4th January to 18th December, 1804.

Enclosed. Minutes, 28th February. Certificate that William has properly finished the bridge at Pickering, and order for paym

Copy of contract for bridge.

Details of account.

805. Minutes, 10th March. Address from the Assembly for payment for hemp seed purchased by Isaac Swayze, which the Assembly will make good next session. Page 9
The answer that a warrant would issue. 10
The account follows. 10
Minutes, 14th March. Address from the Assembly praying that warrants may issue for certain payments on account of the Council and Assembly, to be made good at next session. 11
Agreed to and details given. 13
Minutes, 22nd March. Two Acts referred for the opinion of the Council, one to secure the Province against seditious attempts, the other for a grant to encourage the growth and exportation of hemp. 14
Report of Council. 15
Accounts examined and approved of. 17
Minutes, 28th March. Act for repairing highways referred to Council. 18
Report. 19
Minutes, 17th April. Refers the question of expending certain sums on the erection of a lighthouse on Missisauga Point. 28
Estimate of cost. 29
Report. 30
Minutes, 1st May. Instructions to the Commissioners for repairing highways and roads for the Home District. 32
Correspondence respecting the purchase and exportation of hemp. 35
Report with correspondence. 45
Minutes, 8th May. The standing Committee of Council is authorized, during the Lieut. Governor's absence, to carry into execution contracts entered into by the Commissioners of roads, the amount not to exceed £500 in the whole. 49
Minutes, 11th May. Instructions sent for the Commissioners for opening and repairing roads for the Western, London and Niagara districts. 50
Instructions: Western, 51; London, 54; Niagara, 58. 51 to 60
Accounts audited. 61
Minutes, 14th May. Notice of the dissolution of the present Legislature; asks the Council to report when the writs for the new elections should be returnable. 65
Proclamation. 66
Council recommends that the new writs be returnable on the 2nd of July. 68
Minutes, 15th May. Respecting Beasley's mortgage to the Six Nations. 69
Details of the amount due. 70
Minutes, 28th May. Report on Beasley's mortgage. 71
Report of the proceedings at a council of the Five Nations at Fort George, on 15th August, 1803. 80 to 99
Minutes, 14th June. Auditing accounts. 101
Minutes, 3rd July. Auditing continued. 102
Minutes, 6th July. Reference respecting fees on land grants. 103
Report. 104
Table of fees appended. 108
Distribution of the same. 113, 114
Minutes, 13th July. Auditing accounts. 115
Minutes, 23rd July. Auditing continued. 116
Minutes, 24th July. Auditing continued. 118
Report by Claus of the proceedings at a council held with the Six Nations of the Grand River at the Mohawk village. 120 to 136
Minutes, 27th July. Report on the roads from the mouth of the Humber River to Bate's tavern in the township of Flamboro' West. 137

1805.

Advertisements ordered, asking for proposals to repair, &c., the r
above mentioned. Page
Minutes, 3rd August. Refers for examination the various report
the books, &c., in the office of the Secretary and Registrar.
The reports in full. 145 to
Report of the Council on the same.
Auditing accounts.
Minutes, 16th August. Auditing accounts continued. 173 to
Report on the Secretary's account for duties collected on shop, ta
and still licenses to the 5th April, 1803.
Minutes, 1st September. Report on the charge to be made
stationery for deeds.
Application from John Bennett, for an increased allowance for p
ing.
Auditing accounts.
Minutes, 4th September. Instructions to the deputies of
Surveyor General to report where all the original authorities, &c
serve as vouchers for the Surveyor General, and all maps, &c.,
deposited.
Return by the Deputy Surveyors to this order.
Minutes, 8th September. Auditing accounts.
Minutes, 19th September. Report of Road Commissioners for
district of London.
Report of Council on the same.
Minutes, 20th September. Proposals for opening and repairing
road and building bridges between York and the River Humber.
Report on the same.
Report respecting missing deeds in the Secretary's office.
Minutes, 3rd October. Proceedings of the Road Commissioners
the Midland district, and a letter from the Chief Justice, referr
the Council.
Report on the same.
Auditing account of the Government printing.
Minutes, 9th October. Report by Chewett upon the bridging,
and cutting out the logs and brush through the township of Clarke.
Agreement for the same with Jacob Truman.
Report of Council on the same.
Accounts referred to in report. 243,
Plans laid before the Council for bridges across the River New
Rouge, to be reported on.
Details of material, &c. 246 to
Report on the same.
Minutes, 6th November. Application by John Small for six mon
leave of absence referred to Council.
Memorial.
Leave granted.
Circular to Clerks of the Peace, respecting applications from per
stating themselves to be sons of U. E. loyalists, referred to the Cou

That certain claims for land are to be laid before the Attor
General.
Order as to the manner in which reports from the Executive Cou
referred to Orders-in-Council are to be prepared.
Minutes, 27th November. Report from the Commissioners of
Eastern District referred to Council.
Minutes, 13th December. Memorial of Elmsley, late Chief Jus
respecting his house in York, referred to Council for a report on its v
and fitness for public offices.

805.

Elmsley's memorial. Page 259
Correspondence on the subject and estimate of the value of the house. 261 to 265
Report by Council. 266
Minutes on land matters in Q. 302.

LIEUT. GOV. PETER HUNTER—1805.

Q. 302.

05. Minutes on land matters enclosed in letter (No. 21) in Q. 301, from
t 1, Hunter to Camden, dated as in the margin.

Minutes, 4th January to 18th December, 1804. Consideration of petitions. Page 3 to 423

(Names in alphabetical list.)

t 3, Hunter to Camden (No. 22). Transmits abstract of grants of land between 1st January and 31st December, 1804. The goods intended as presents for the Indians have arrived, but without invoice or bills of lading, so that the usual survey could not be held. They are in the meantime in charge of the Storekeeper General of the Indian Department. 424

1805.

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada which have passed the Great Seal of the Province between the 1st of January and 31st December, 1804.

Counties.	No. of Grants.	Districts.	No. of Acres.	Total No. of Grants.	Total No. of Acres Granted.
York	157	Home.	35,672½	157	35,672½
Durham	17	Newcastle.	5,297	46	11,221
Northumberland	29		5,923		
Lincoln	76	Niagara.	19,673½	76	19,673½
Glengarry	55	Eastern.	11,623	182	41,952½
Dundas	21		5,147		
Prescott	15		5,193		
Russell	5		1,626		
Stormont	86		18,354½		
Grenville	64	Johnston.	9,439	190	48,178½
Carleton	2		500		
Leeds	124		38,239½		
Essex	49	Western.	9,145½	72	19,409½
Kent	23		10,264		
Middlesex	18	London.	16,890	87	37,360
Norfolk	28		9,500		
Oxford	41		10,970		
Frontenac	40	Midland.	5,873½	236	39,797½
Hastings	33		7,758		
Lennox and Addington	86		12,103½		
Prince Edward	77		14,062		
			Total...	1,046	253,264½

N.B.—For 697 of the above grants the faith of Government was pledged previous to the commencement of Lieut. General Hunter's administration. The remaining 349 grants have been authorized under Orders of Council subsequent thereto. Errors excepted.

PETER RUSSELL,
Auditor General, U.C.

September 5, Downing Street. Castlereagh to Hunter (No. 1). Transmits memorial from Major Henry Bird, of the 5th Regiment, for compensation for the loss of land taken from his father. Page 42

(A circular from Castlereagh in Series C, Vol. 245, p. 107, dated 10 July, states that he had succeeded Camden in the Colonial and War Departments.)

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tember 5, Castlereagh to Hunter. Sends information respecting the culture of hemp to be translated into French and circulated. Page 428

tember 7, Russell to Camden. Death of Hunter at Quebec, on the 21st of August. Had called together the Council, who decided that the administration devolved on Alexander Grant, the senior Councillor. Had sent express to Grant at Amherstburg a copy of the minutes and a request that he would repair to York to administer the Government. Had himself filled that position for four years, but would forward the King's service to the utmost of his ability, though naturally feeling the mortification at being called to act in a situation so subordinate to that he formerly exercised. 429

Enclosed. Minute of Council mentioned in the preceding letter. 431

tember 8, Same to same. His reasons for not at once taking the office of administration, although he had been recognized as President by His Majesty's Ministers. 433

Enclosed. Letter by Russell to King, Under Secretary, dated 22nd September, 1799, on the subject of his holding the office of President of the Council. 436

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Peter, 370; Wagstaff, Sarah (daughter of Josiah Lockwood), 33; Watson, Major, 370; Weatherhead, Samuel, 89, 298; Webster, William, 159, Asa, 296; Webber, Horis, 294; Weesham, Henry, 148; Welch, Peter, 295, W., 148; Weller, Ebenezer, 148; Westphal, Fred Ulrick E., 76; Weyman, Asabel, 69; White, John, 370, Sally, 295, Mrs., 340; Whitney, Elijah, 370; Wichordt, John, 75; Widal, John, 170; Wiley, Christefer, 177; Willard, Levi, 148; Willery, Henry, 370; Williams, David, 370, Eliz. (daughter of George Charters), 387; Willis, Isaac, 317; Willmot, Allan, 370; Willson, Aaron, 99, 192, John, 370; Wiltsie, James, 209, John, 401; Wilsee, John, 406, Solomon, 406; Wilsey, John, 399, 407, Solomon, 399, 407; Wilson, Anne, 399, John, 399, Robt., 147; Wing, Mathew, 148; Wingell, Adam, 333; Winn, Jacob, 419; Winterbottom, Samuel, 148; Wood, Thomas, 166; Woodard, John, 296; Woolley, John, 370; Worth, Henry, 227; Wragg, John, 370, Richard, 370; Wright, Charlotte (daughter of Jacob Smith), 34, John, 25, Samuel, 387, Vester, 387, Wate, 106; Wunsch, John George, 75.

Y.—Young, John (for Presbyterians at Newark, 251), John, 346, Joseph, 35; Younglove, Dorcas, see Bowman.

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B.—Bastard, 405; Bertie, 19, 20, 253, 255, 346; Blenheim, 387; Burford, 387.

C.—Caistor, 387; Camden, 305, 205; Charlottenburgh, 332, 333; Charlotteville, 19, 225, 387, 390; Clarence, 387; Clarke, 312; Cornwall, 18, 213, 332, 333; Cramahé, 123, 249; Crowland, 57, 255.

D.—Delaware, 321; Dereham, 154; Dorchester, 143; Dover, 252; Dundas St. (see Streets).

E.—Elizabethtown (Episcopalians in, 138), 258, Ernest Town, 306; Etobicoke, 73, 374, 421.

F.—Finch, 28; Flamborough East, 204; Flamborough West, 230; Fredericksburgh, 307.

G.—Gainsborough, 69; Gwillimbury, 150, 269, 325, 326; Grimsby, 257; Gosfield, 166, 168; Grantham, 227.

H.—Haldimand, 72, 387; Hallowell, 205; Hawkesbury, 246; Hope, 10, 39, 129, 190; Howard, 387; Huntingdon, 387.

K.—Kingston, 257, 405; Kenyon, 333; Kitley, 387.

L.—Lancaster, 26, 333; Leeds, 390, 394, 395, 397, 401, 405, 406; Louth, 207.

M.—Markham, 12, 17, 29, 73 (German settlers in, for names on plan see pp. 75, 76; names on petition are in alphabetical list), 137, 138, 142, 150, 197; Marysburgh, 121, 205; Matilda, 259; Montague, 387; Mountain, 387; Niagara, 346, 392.

N.—Norwich, 154.

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P.—Pickering, 88, 422; Pittsburgh, 405; Portland, 13, 130, 387.

R.—Rainham, 303; Rawdon, 387; Richmond, 308; Roxboro', 332.

S.—Saltfleet, 254, 346, 403; Sandwich, 79, 310, 349, 410, 418; Stamford, 59, 114; Sydney 387.

T.—Thurlow, 60, 387; Tilbury, 402; Townsend, 359.

W.—Whitby, 347, 387; Whitechurch, 10, 269, 420; Williamsburgh, 206, 333, 387; Willoughby, 57; Winchester, 387; Woodhouse, 57.

V.—Vaughan, 387.

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J.—Johnstown, 92, 94, 185, 390, 400, 406.
M.—Midland, 9, 205, 308.
N.—Nassau, 216; Niagara, 133, 207, 215, 256.
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C.—Coots' Paradise, 140, 152; Cornwall, 199.
D.—Delaware Village, 393.
K.—Kingston, 314, 329, 331, 372.
J.—Johnstown, 134, 151.
N.—Newark (Presbyterians at, 251); Niagara, 214, 236, 239.
S.—Sandwich, 17, 96, 353.
Y.—York, 137, 201, 282.

STREETS.

D.—Dundas, 72, 133, 135, 138, 150, 228.
Y.—Yonge, 133, 135, 138, 144, 147, 148, 150, 220, 231, 377, 378, 3

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D.—Detroit, 79.
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G.—Gananoque, 89.
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T.—Thames, 252, 271.

ACTING GOV. A. GRANT AND MISCELLANEOUS—1806.

Q. 303.

1805.

January 11, London. Daniel Coxe to Camden. Had received a report from Barclay, Con General at New York, that Judge Cochran and Gray, the Solici General for Upper Canada, had perished in Lake Ontario. Recomme the appointment of William Taylor to succeed Cochran; his qualificatio services, &c. Page

(A statement of the shipwreck is in Q. 299, p. 172.)

January 21, Treasury. Sturges Bourne to Cooke. Transmits report by the Comptroller Army Accounts in a letter from Hunter of 16th September, 1804, closing the public accounts of Upper Canada. The report to be l before Lord Camden for his observations.

January 23, London. Edward Fisher to ———. Transmits statement of balance in his ha for the public service.

Enclosed. Statement of sums remaining in the hands of Edw Fisher, as agent for Upper Canada, out of the sums issued for the C establishment of that Province.

February 1, Devizes. D. W. Smith to Adam Gordon. Urging that his pension and arre be not forgotten in the estimates of the establishment for Upper Cana

February 13, York. Memorial from John Small for an increase of salary.

(The memorial is undated, it is marked as received at the date the margin.)

Enclosed. **Minute of the Executive Council of Upper Canada, on salaries of the officials.**

1805.

mary 14, lon. C. B. Wyatt to Camden. For payment of his salary from the date of his appointment to be Surveyor General of Crown Lands in Upper Canada, he having from the date of the warrant been unable to sail with the ships of last season. Page 78

uary 18, ec. Elmsley to Adam Gordon. Asks that Hunter's report relative to his (Elmsley's) house may be confirmed; his embarrassment owing to the want of the money. Has had to buy a house at Quebec for 4,000 guineas for three-fourths of which he is paying interest. The rent of houses in Quebec is double what it is in London. 80

ch 29, lon. J. A. Vesey to Camden. Wishes to carry with him to Canada the warrant for land promised him, and as the quantity (10,000 acres) surpasses the authority of the Governor and Council in the Canadas to grant, asks for a letter of authority to receive that amount. 83

l 2, on. Duke of Kent to Cooke. Introduces Lieut. Col. Vesey; asks that his application for a grant of land be considered. 85

l 8, on. C. B. Wyatt to Camden. Is about to sail to enter on his duties as Surveyor General of Crown Lands in Upper Canada and asks for authority to obtain a grant of 1,200 acres there. 86

11, on. Report by the Attorney and Solicitor General, as to a Colonial law for enabling His Majesty to make grants of land to aliens in Canada. 88

(The letter which enclosed this report is in Q. 300, p. 240.)

21, ster. Allcock to ———. How the fees on land grants in Upper Canada are appropriated. Two clerks in the Council Office receive their salaries out of the fund raised by these fees. An addition to Small's salary might be paid from the same source as long as the amount collected was sufficient. 91

, on. Small to Camden. Urges that a decision may be arrived at in his case, so that he might return to his duties in Upper Canada. 93

I, on. Captain Norton to Cooke. Has waited expecting to hear that a copy of the grant [on the Grand River] had been received from Canada, so that the demands of the Five Nations might be settled. Has learned that Dorchester is in the country, who knows all the claims of the Five Nations, their services, &c. Is sure that His Lordship would give ample satisfaction to any inquiry it might be thought necessary to make. Smith, lately Surveyor General, is also capable of answering any questions on the subject, being a trustee of that portion of the land the sale of which was confirmed by Government, that the Five Nations might derive an income from it. His reasons for importunity. Has been advised to present a petition to Parliament, but is not willing from ignorant zeal to be led into irregularity of proceeding. 95

4. on. Small to Camden. Thanks for answer to his petition, but a positive order to the Governor is necessary before lands can be granted him above the 1,200 acres to which the Governor's power of granting is limited. 98

6, Same to Cooke. On the same subject as letter to Camden of the 14th. 100

8. Norton to same. Owing to the long delay, asks if he should await the decision of the Secretary of State, or return to Canada and forward from there the papers wanted. 102

Enclosed. Extract of letter from D. W. Smith to Norton, respecting Haldimand's grant to the Five Nations. 104

, Misses Clarke to Camden. Further respecting the lands to which their father and brother were entitled. 105

15, mud- Thorpe to Cooke. Applies to succeed Elmsley, or, if that promotion has been given to Allcock, to succeed the latter in Upper Canada. 109

18, d. Small to same. Shall be in town to take passage for Canada. Being the bearer of dispatches will secure him a free passage. Gordon

1805.

does not say when the additional salary is to begin; hopes tha arrears shall be paid from the time allowed to the Clerk of the C of Lower Canada. Pag

June 22, London. Norton to Cooke. Has called on Dorchester; His Lord opinion that "should it be necessary for the satisfaction of the "Nations, that the terms of their grant from Sir Frederick Haldi "be enlarged, His Lordship would readily concur, but not to have "curtailed on any account whatever;" he saw no reason why the Nations should not have the same right to lease as the people of C nawaga or Lake of Two Mountains. The importance of Dorche opinion from his former position and knowledge of the facts.

June 26, London. Same to Camden. Is desirous to obtain an answer to his applic and sends a memorial to the Privy Council.

June 28, London. Allcock to Cooke. The sum of £2,950 has been remitted by proceeds of sales of Indian lands. How this and other sums are invested for the benefit of the Indians.

July 16, Berry Hill. Norton to same. Respecting claims of the Six Nations, whic seeks to have adjusted. Comments on the means used to obtain app declarations from an illiterate people. Desires to see the docu stated to have been signed by some of the chiefs, so that he may tain if the Indians have really changed their minds since he left.

June 19, London. Memorial by Small to Castlereagh for increased fees and salary for payment of arrears.

July 20, London. Norton to Camden. Has been informed that by dispatches Canada it appears that at two councils of the Six Nations, the Chie clared that he (Norton) had not been authorized to undertake any m on their behalf and have disavowed the whole of his proceedings. H into a long and detailed history of his appointment as Chief, &c.

July 23, London. Same to Castlereagh. On the same subject as the letter to Cam the 20th.

July 24, Whitehall. Cottrell, for Lords of Trade, to Cooke. Transmits representati behalf of the Six Nations for lands on the Grand River, for the con ation of Lord Castlereagh.

Enclosed. Memorial by Norton on behalf of the Six Nations, addr to the Privy Council.

July 31, Dingwall. Sir George Mackenzie to the Colonial Secretary. Asks if he can a grant of land either in Prince Edward Island or Canada, to whi can conduct and settle a number of his tenants, whose leases will soon expire and about whom he feels anxious.

August 1, Quebec. Vesey to Camden. Thanks for the attention bestowed on his so tion for a grant of land in Upper Canada. Hunter promised th grant for 5,000 acres would be made out as soon as he receive Lordship's orders, but it should be directed to issue on the same as those to the loyalists, otherwise the fees would be very conside Requests that this be done.

August 27, Colchester. Captain Henry Bird to Castlereagh. Further memorial resp lands granted to his father near Detroit.

September 13, York. A. Grant to Camden (No. 1). That on receipt of the news of Hu death, he had come to York, to assume the administration as Councillor, arriving on the 10th; had taken the oaths on the 11th

September 13, Treasury. Huskisson to Cooke. Transmits letter of 20th July and requ from Hunter for goods for Indians, stationery, &c.

September 18, York. Russell to same. His doubts and the reasons for them, whet and not Grant should be administrator. Had written Grant to cal meeting of Council. The refusal of the Council to take up the qu no order of reference on the subject having been made. Does not a complaint, but states the facts to deprecate censure for having

05.

in the decision of Council, or any consequences which may result from it. Page 4

Enclosed. Letter to Grant, dated 16th September, on the question of their seniority and asking him to call a meeting of Council to consider the subject. 8

Answer, same date, that Grant had summoned the Councillors. 10

ber 20, Scott to Camden. Asks for promotion consequent on the death of Elmsley, as he had been led to expect this on his accepting the office of Attorney General. The great loss to the Province occasioned by the death of Hunter. 155

ber 25, A. Macdonald to the Chief Baron. Transmits a letter from Sir George
heen. Mackenzie, and asks that consideration be given to it, &c. 158

(Sir George Mackenzie's letter of 31st July calendared at its date.)

ber 26, Cockburn to Cooke. Renewing his application for a grant of land,
Wight. and enclosing extract from a minute of Council of Quebec and copy of letter from his brother, John Cockburn. 163

Enclosed. Memorial and correspondence. 164 to 174

Extract from minutes of Council of 30th July. 175

ber 28, Castlereagh to Hunter (No. 3). The Acts passed by the Legislature
ng of Upper Canada have been considered and do not appear to be liable to any objection. (The titles of the Acts, eleven in number, are given.) 11

ber 30, Grant to Camden (No. 2). Had received circular requiring information to be sent of malignant or infectious diseases that may be prevalent in the respective Governments. There are none in Upper Canada. The principal diseases are agues and intermittent fevers, arising, it is supposed, from there not being sufficient clearing near the settlements. 14

r 1, Same to same (No. 3). Had received orders to have a Bill prepared to be laid before the Legislature to enable His Majesty to grant lands to aliens in Upper Canada. From the universal prejudice against aliens of all descriptions becoming settlers, has serious doubts if such a Bill could pass. 16

r 1, Thorpe to Cooke. Had expected a vacancy on the Bench here, owing to the removal of Allcock to Quebec. In the Province there is no Governor, no General, no Bishop, no Chief Justice; the Council have made a President, but owing to a cabal have appointed a man who does not appear to be the oldest member, and is inefficient; an active, sensible man is ardently wished for. The inconvenience of making the General commanding both Provinces the Governor of this, as it is abandoned for several months every year. The proclamation for proroguing the Legislature was dated 31st August, and the General had expired on the 21st, one instance of the inconvenience. The expense he (Thorpe) has incurred, bringing his family so long a distance. Is glad he has been removed from Prince Edward Island; the worst people in the world are there and he fears they will give more trouble than the Island can recompense. 177

r 2, Grant to Camden (No. 4). Has made a requisition on the Commander of the forces for £2,500 sterling for account of civil expenditure of the Province. 18

r 3, Cooke to President Russell. To obviate inconveniences that may arise
ng to officers of the civil establishment drawing their salaries since the death of Fisher, the agent, Adam Gordon has been authorized to pay such bill till a new agent is appointed. 19

r 9, Grant to Camden (No. 5). Transmits memorial from Mr. Justice Powell, with a letter which accompanied it. The qualifications of Powell. 20

1805.

Enclosed. Memorial of William Dummer Powell, for an allowance for having performed all the duties of the Bench, in the absence of the Chief Justice. Page 22

Powell to Grant, 6th October. That Hunter had promised to forward the memorial with his recommendation. Hopes the death of Hunter will not effect the propriety or force of the representation. 24

October 10, Colchester. Bird to Cooke. Sends documents respecting claims to lands, the property of his father. 180

Enclosed. Documents referred to in letter. 182 to 194

October 11, Treasury. Sturges Bourne to Cooke. Transmits, from the Treasury, letter from the Commissioners of the Navy, that Robertson, Forsyth & Co., of Greenock, can procure some very large pine masts, if they can obtain permission to cut them. Requests him to send instructions to that effect to the Governor of Upper Canada. 195

Enclosed. Letter from the Navy Office respecting Robertson, Forsyth & Co.'s application. 196

October 16, London. Duke of Kent to Castlereagh. Transmits, but without any recommendation, application from Sir John Johnson to be appointed Lieut.-Governor of Upper Cadada. 198

Enclosed. The application from Sir John Johnson, dated Port Oliver, 25th August, 1805. 200

November 10, York. Grant to Cooke. Dispatches received; answers sent in duplicate. Has received from Colonel Bowes notice of the appointment of Thorpe to be a judge in this Province. 26

November 11, York. Same to same. Has received speech on the prorogation of Parliament. 30

November 11, York. Same to Castlereagh (No. 6). Had communicated by the earliest opportunity the death of Hunter. Shall attend to circular and address all dispatches to His Lordship. 28

November 14, York. Same to same (No. 7). Has received order to pay Small, clerk of the Council, £100 in addition to his regular salary, and also to grant him 2,000 acres of land. 31

Castlereagh to Grant (No. 1). Sends letter, &c., from Major Henry Bird, relative to claim for his father's lands, for inquiry and report on the subject. 33

November 21, York. Thorpe to Castlereagh. Application to succeed Allcock as Chief Justice of Upper Canada, stating his qualifications, &c. 206

November 28, London. Allcock to Cooke. That the amount now in the hands of Messrs. Coutts, to be invested for the benefit of the Indians, is £3,967.17.8. 208

November 30, York. Grant to Castlereagh (No. 8). Orders had been given by Hunter to purchase a tract of land between Etobicoke and Burlington Bay, belonging to the Missisaugas, for making roads and securing communication between the seat of Government and the western parts of the Province. A provisional agreement for the purchase is enclosed; the death of Hunter alone prevented the final settlement. There is no doubt that the sum inserted in the provisional agreement was as stated by the Deputy Superintendent General in his letter of 8th August, 1805. Considers that the purchase should be completed, but does not think himself at liberty to go beyond the sum mentioned, without instructions. Considering other purchases, the value of land, &c., recommends that £1,700 be given for the present acquisition. The sum that may be derived from it from settler's fees. The sum above that stipulated in the provisional agreement will appear to flow from the bounty of the British Government, and the purchase will confer a lasting benefit on the Province. For further information encloses copy of letter from Deputy Superintendent General. 35

Enclosed. A. Provisional agreement. 38

Requisition for goods for payment of the lands. 41

B. Letter from W. Claus, dated 8th August, to Green, transmitting deed from the Missisaugas to be laid before Hunter. Page 44

C. 1. Proceedings of meeting with the Missisaugas at the River Credit on the 31st July. 46

2. The same on the 1st August. 50

3. The same on the 2nd August. 55

D. Letter from Claus, dated 16th November, recommending a sum additional to that in the provisional agreement. 58

22. Grant to Castlereagh (No. 9). Has received circular announcing the death of the Duke of Gloucester. 60

(The circular, dated 27th August, is in Series C, Vol. 245, p. 110.)

23. Grant to Castlereagh (No. 10). Has received documents relating to the culture of hemp. Is doubtful if a translation into French is necessary in this Province; it is more probable that a translation into Dutch would be of greater utility. He will use every exertion to promote the culture of hemp. 61

29. Same to Cooke. Has received copy of regulations to be observed by half-pay officers for obtaining their allowance, and has issued a notice in accordance therewith. 63

31. Inglis to Castlereagh. Encloses and calls attention to a proclamation from Wilkinson, the American Governor of Upper Louisiana, prohibiting the entrance of foreigners into the Missouri for trade or otherwise. If warranted in this case, the prohibition may be extended to the whole of the west side of the Mississippi, thus cutting off a large part of the fur trade from Canada. An application for redress to be made through the British Minister. The probable course of the American Government. 209

Enclosed. Proclamation (in French) by Wilkinson. 211

31. Sir Rupert George to Cooke. Requesting that an order may be obtained for the payment of Judge Cochran's salary, he having been drowned in Lake Ontario, in October, 1804, and in consequence of the death of Hunter, the usual order to the agent for payment cannot be issued. 213

Castlereagh to Grant. Dispatches received. Francis Gore has been appointed to succeed Hunter as Lieutenant Governor, and has been desired to proceed from the Bermudas with all convenient despatch. 25

ACTING GOVERNOR A. GRANT.—1806.

Q. 304.

Grant to Castlereagh (No. 11). Has received, in dispatch to Hunter, memorial of Major Henry Bird, respecting lands granted to his father. Has directed inquiries to be made, but is, as yet, unable to communicate the result. Page 2

1. Same to same (No. 12). A vacancy has occurred in the office of the Clerk of the Crown and Common Pleas, by the death of David Burns. Has put in William Warren Baldwin (who acted as deputy) until the King's pleasure be known. 4

Russell to Cooke. Has received information for the officers of the civil establishment that Adam Gordon is authorized to pay the bills for their salaries, and on receipt of the letter had transferred it to Grant, the present administrator. Will not repeat his reasons for not acting as administrator on hearing of the death of Hunter. 6

Castlereagh to Gore. Transmits warrant appointing him Lieutenant Governor of Upper Canada. Brigadier General Hodgson is to succeed him in the Government of the Bermudas, but he need not wait for his arrival. 8

1806.

March 6, York. Grant to Castlereagh (No. 13). Has received dispatch address Hunter, that the Acts passed by the Legislature of Upper Canada been considered and do not appear liable to any objection. Pa

March 14, York. Same to same (No. 14). Encloses address from the Assembly, schedule of accounts and his answer. Remarks on the revenues o Province.

(The letter with documents published in full in this report.)

March 15, York. Same to same (No. 15). That the bill to enable aliens to hold la Upper Canada was introduced, but the prejudices of the Assembly too strong, and it was rejected.

March 15, York. Same to same (No. 16). The Legislature met on the 4th of Febr and was prorogued on the 3rd instant. Sends copy of speeches, re &c., and schedule of Acts passed.

Enclosed. Speech on opening the House.

Address of Council in reply.

Answer.

Address of Assembly in reply.

Answer.

Speech on prorogation.

Schedule of bills which received the Royal assent on Monday August, 1806.

March 28, York. Russell to Castlereagh. Had transferred dispatches addressed to to Grant, who now administers the Government. Remarks on his tion by the Council.

April 3, York. Grant to same (No. 17). News of the brilliant victory of the late Nelson over France and Spain (the battle of Trafalgar). The dea Nelson abates the joy.

April 8, York. Same to same (No. 18). Encloses documents (with remarks) rel to Major Bird's memorial respecting his father's claim to land Detroit.

Enclosed. Proceedings, dated 24th March, of the Executive Co on Major Bird's memorial. Further proceedings, dated 7th April.

Copy of Haldimand's letter to Hay, dated 14th August, 1784.

Plan showing the site of the military post of Amherstburg.

Report of Council on Bird's memorial, with correspondence, &c. 68

April 28, York. Grant to Castlereagh (No. 19). Transmits copies of Acts to whic Royal assent has been given, and also copies of the Journals of the L lative Council and Assembly.

Enclosed. Journal of Council, from 4th February to 3rd Mar 94 t

Journals of Assembly, 1806 and 1807, titles only. 14

LIEUT. GOV. FRANCIS GORE AND MISCELLANEOUS—1806.

Q. 305.

1806. January 6, London. Powell. Memorandum of his services and the salary he had reas expect. How he had been treated in comparison with Allcock. Pa

Enclosed. Other documents relating to his salary and claim for ar 8

January 24, York. Thorpe to Cooke. Desires to inform him of the situation of the c before the new Governor leaves London. Hunter has nearly ruine Province by his rapaciousness to accumulate money by grants of he dissatisfied the people and oppressed the officers of Governmen Postscript of 5th February.

Letter to Castlereagh, dated 4th March, on the same subject.

(These, with subsequent letters from Thorpe are published in Note D. of this report. The dates and pages in this volume are

806.

March (p. 103), 2nd April (p. 124), 1st April (p. 127), remarks by the petty jury on his charge and answer (p. 132), letter to Cooke of 7th April (p. 135), letter to Adam Gordon, 14th July (p. 150), 22nd October (p. 173), 1st December (pp. 189 to 214).

ary 10, W. Dummer Powell to Cooke. Applies that the office of the Clerk of the Crown and Pleas, vacant by the death of Burns, may be given to his son, John Powell. States his own and his son's services and the promise of the Lieut. Governor. Page 140

ary 22, Resolutions to form an Agricultural and Commercial Society of Upper Canada, with rules and regulations for its guidance. 96

5. Thorpe to Cooke. "I expected that the avarice and imbecility of our "Government would have been highly injurious, but it has far surpassed "my fears," &c. 103

(For letter see Note D.)

14, Allcock to Shee. Report on the Indian lands on the Grand River. 107

14, Same to same. The necessity of having a Court of Chancery in Upper Canada. The complaints made of the injustice suffered by people interested, owing to the want of a Court of Equity. It was understood that on his (Allcock's) return to Upper Canada, a Court of Chancery would be opened. 113

31, Memorial by D. W. Smith to Windham. That the warrants of survey and other papers, collected by him as Surveyor General, were regarded as his private property, to be used in the settlement of his accounts. They were asked for by the late Lieut. Governor of Upper Canada. As they are of no use to him (Smith) except in relation to his accounts, shall send them, if the so doing is covered by his (Windham's) sanction and authority. 116

(For result of this application see Harrison's letter of 30th, transmitting Treasury Report of 20th June, pp. 147-148.)

1, W. Harrison to Shee. In accordance with request, sends opinion on the establishment of a Court of Chancery in Upper Canada. Is surprised that a Court was not established at the time of the introduction of the English law. Instructions should be sent to the Governor now to that effect, as owing to the delay a specific order on the subject seems to be necessary. 119

1, Same to same. In respect to Allcock's report on the subject of the Indian lands and the money now standing in the name of Antrobus, everything appears to have been done towards securing the payment of the money due on the sales and remitting. Recommends that the suggestion in the report for the recovery of the remainder and its investment should be followed. The question of further sales depends on how far these can be carried, the class of persons likely to become purchasers and settlers and the quantities into which the lots should be divided, with the probable produce. How the money should be transferred from Antrobus and invested jointly in his name and in that of Windham, which would sufficiently secure it without the necessity of a deed of trust, &c. The future disposal of principal and interest. 121

1. Thorpe to Cooke. Did not think he would be obliged to trouble him for a long time. 127

(For letter and enclosures see note D.)

2. Thorpe to Gordon. Had been informed that he (Gordon) had been appointed agent, &c. 124

(For letter see Note D.)

3, Allcock to Shee. Had directed Antrobus to transfer £9,244 5s. 11d. three per cent consols to the joint names of the Secretary of State and himself (Antrobus), and has received a note from Messrs. Coutts that this transfer has been made. 126

1806.

April 7, York. Thorpe to Cooke. Had received word of Pitt's death, &c. P
(For letter see Note D.)

April 30, York. Thorpe to Castlereagh. Sends resolutions of the Agricultural of Upper Canada, &c.
(For letter and notice of meeting, see Note D.)

April 30, London. Inglis to King. Encloses letter from a gentleman in whom I an interest (W. Dummer Powell), addressed to a gentleman no office. Powell has conducted himself in his situation in a very b manner and he (Inglis) trusts King will serve him as an old and servant of the Crown.
(Letter from Powell enclosed, dated 10th February, calendare date.)

May 5, York. Grant to Castlereagh (No. 20). Transmits memorial fro Alexander McDonell; if found consistent with the political inte the Mother Country to permit emigration from Scotland, no clas be found more useful than the industrious Highlanders.
Enclosed. Memorial from Rev. Alexander McDonell on the fa the promised assistance from Government, to provide clergyn schoolmasters for the Highland settlers.

May 10, Downing Street. Windham to Gore (No. 1). He is to bring before the Council m from Allcock for land granted to him, and have a patent issued t his grant to an equal quantity with that to other members of the and on the same terms.

May 10, Downing Street. Same to same (No. 2). To complete the provisional agreem the purchase of land from the Missisaugas. The price stipulat £1,000, but they are to be paid £1,700 for reasons given.

May 16, London. Allcock to Shee. Transmits letter from Windham relative t for his (Allcock's) lands in Upper Canada. The difficulties of the there respecting moneys received for Indian lands. Shall to-r wait upon him respecting that and other arrangements in regar money lately transferred to Windham and Antrobus.

May 16, London. Same to Windham. Requests that instructions be sent to th Governor and Council of Upper Canada to issue a patent for a land as will make up the same quantity to him as to the other m of the Executive Council. Lieut. Governor Hunter had pron solicit a larger grant than the others had received, owing to h cock's) extraordinary labours.

May 17, York. Grant to Castlereagh (No. 21). Sends requisition for goods to lands purchased from the Missisaugas.
Enclosed. Requisition.

June 2, Treasury. Harrison to Shee. Asks if there are lands in Upper Canad might be granted to Kempe in lieu of those he had lost in Ameri

June 5, Downing Street. Windham to Gore (No. 3). Sends copies of letters, &c., res the growth and preparation of hemp; he is to take measures encouragement of its culture.

June 30, Treasury. Harrison to Shee. Transmits report of the auditors to the T on D. W. Smith's accounts.
Enclosed. Report, that D. W. Smith's accounts are not yet ex and as it is not known exactly what authorities are required as v he should send certified copies of warrants and other papers to retaining the originals.

July 13, York. Grant to Windham (No. 22). Had received notice of his (Win appointment to the Colonial and War Departments in room of reagh.

July 14, York. Same to same (No. 23). Has received word of the captur Cape of Good Hope.

July 14, York. Thorpe to Gordon. Had drawn for his salary on him as agent, &c.

1806.

(For letter see Note D.)

15, Grant to Windham (No. 24). Has been informed of the appointment of Gore to be Lieutenant Governor of Upper Canada. Page 18

16, Same to same (No. 25). Has received circular respecting the encouragement of the Newfoundland fisheries. The inland situation of Upper Canada renders the particulars not applicable to that Province. 19

17, Same to same (No. 26). Acknowledges receipt of news of a brilliant victory by Admiral Duckworth. 20

18, Same to same (No. 27). Shall obey His Majesty's commands respecting grant of 5,000 acres to Lieut. Col. Vesey, in like manner as the grant made to Talbot. 21

18, Same to Shee. Has received estimate for the establishment of Upper Canada. 22

19, Same to Windham (No. 28). Shall obey His Majesty's commands respecting grant of 5,000 acres to Hon. Mr. Jones, brother of Lord Ranelagh. 23

20, Same to Windham (No. 29). Has received papers relating to contagious diseases, &c. There is no disorder of the nature referred to, but should it be found necessary, no efforts shall be found wanting to enforce the rules laid down by the Board of Health. 24

23, Harrison to Shee. The Lords of the Treasury desire to have Windham's opinion whether the compensation to the Rev. Edward Kempe ury. should be in money, at the rate of 2s. 6d. an acre, or in land with the usual restrictions. 153

Enclosed. Minutes of the Board of Trade on Kempe's losses. 154

26, Harrison to Shee. Transmits requisition from President Grant for ury. goods to pay for the lands purchased from the Missisaugas, in order to obtain Windham's opinion thereon. 156

29, Grant to Windham (No. 30). Sends abstract of the grants of land from 1st January to 31st December, 1805. 25

1806.

ABSTRACT from the Auditor's Docket Books of Grants of Land in U] Canada which have passed the Great Seal of the Province betwee 1st of January and 31st of December, 1805.

Counties.	No. of Grants.	Districts.	No. of Acres.	Total No. of Grants.	Tota No. of Grant
York	221	Home	47,192½	221	47.
Durham	9	Newcastle.	4,050	42	11
Northumberland	33		7,884		
Lincoln	49	Niagara.	10,126	49	10
Glengarry	6	Eastern.	1,313	33	6
Dundas	12		2,224		
Prescott	3		800		
Russell	4		1,000		
Stormont	8		1,319		
Grenville	24	Johnston.	5,318	95	21
Carleton	0		0		
Leeds	71		16,348		
Essex	30	Western.	5,198	33	5
Kent	3		620		
Middlesex	10	London.	3,300	45	19
Norfolk	31		7,791		
Oxford	4		7,961		
Frontenac	27	Midland.	5,176¾	69	15
Hastings	7		1,700		
Addington and Lennox	24		4,051		
Prince Edward	11		4,792		
		Total		587	13

Errors excepted.

PETER RUSSELL,
Auditor General

July 30. Grant to Windham (No. 31). Sends return of militia for 1805, e for the counties of Glengarry and Prescott, not yet received.

RETURN of the Militia in His Majesty's Province of Upper Canada for the year 1805.

District.	Counties.	Colonels.	Lieut.-Colonels.	Majors.	Captains.	Lieutenants.	Ensigns.	Cornets.	Chaplains.	Adjutants.	Qr.-Masters.	Surgeons.	Sergeants.	Drummers.	Rank and file.
Eastern	Glengarry / Prescott (Taken from last return)	1	1	1	7	10	10	.....	1	1	1	1	30	...	686
		1	1	...	1	2	3	.....	.....	.....	.....	.....	4	...	85
	Stormont	1	1	...	6	12	6	1	1	1	1	1	26	...	395
	Dundas	1	1	1	5	7	7	...	.....	1	1	...	14	...	261
Johnstown	Grenville	1	1	1	9	12	12	.....	.....	1	.....	...	33	2	415
	Leeds	1	.....	1	11	10	12	.....	.....	1	1	.....	39	7	686
Midland	Frontenac	1	1	1	5	6	6	.....	.....	1	1	...	12	..	256
	Lennox	1	1	1	9	12	7	1	1	1	2	1	24	...	273
	Addington	1	1	1	6	8	5	1	.....	1	1	.....	21	.....	380
	Hastings	1	1	1	6	6	6	.....	.....	1	1	1	19	2	220
	Prince Edward	1	1	1	9	12	9	1	.....	1	1	1	33	...	405
Newcastle	Northumberland	1	1	1	8	8	8	..	.....	1	1	1	22	3	288
	Durham	1	1	....	2	1	1	.....	.....	.....	.....	.....	6	1	80
Home	York	....	1	3	15	20	19	.....	.....	3	1	.....	46	1	703
Niagara	Lincoln (4 battalions)	.....	6	5	49	47	35	.....	.....	5	5	...	123	.....	1,498
London	Norfolk	1	.....	...	5	7	4	.....	.....	.....	1	...	16	8	313
	Oxford	.....	.....	.....	4	3	3	.....	.....	.....	.....	.....	12	5	153
Western	Essex	1	1	2	10	15	14	...	...	2	.....	.....	28	.....	247
	Kent	1	1	1	4	4	2	.....	...	.....	.....	..	8	.....	158
	Total	16	21	21	171	202	169	4	3	21	18	6	516	29	7,402

YORK, 24th July, 1806.

ALEX. GRANT,
President.

1806.

August 22, Treasury. Harrison to Shee. That the Lords of the Treasury concur in with Windham, that the sum of £1,035.3.1½ should be granted to leaving the Government of Upper Canada to fix on lands amount.

August 25, York. Gore to Windham (No. 1). Had arrived on the 2nd, but reach York till the 23rd, being detained at Kingston by contrar On the 25th he took on himself the administration of Governm

August 28, Treasury. Harrison to Shee. That the Commissioners of Transport b impossible at this advanced season to ship the goods to pay th saugas for their lands, but that they shall be sent out by one of ships in spring; asks if Windham has any objection to this.

August 30, London. Selkirk to Castlereagh. Sends documents relative to pro raise a Highland Fencible Corps in Upper Canada.

Enclosed. Proposal, dated Glengarry, Upper Canada, 9th Ju by John McDonell, Lieutenant of the County, to raise a F Fencible Corps. Can raise at the shortest notice a corps of 7 independent of the militia, which numbers 730 strong.

There are two proposals; one is endorsed as an amende communicated by Miles McDonell.

The other: "Proposals for U. C. Glengarry Volunteers, by J. McDonell."

August 31, York. Grant to Windham. The administration being now in the h Gore, desires to have the salary settled, which he is to receiv administrator since the death of Hunter.

Enclosed. Certificate of the Executive Council, that Grant oaths of office as administrator on the 7th of September, 180 vacancy caused by the death of Hunter.

September 1, York. Gore to Windham (No. 2). Circular and duplicates rece originals of the latter received and answered by Grant.

September 1, York. Same to Shee. Duplicate with estimate received. The latter by Grant in the original of 31st March.

September 8, York. Same to Windham (No. 3). The temporary house for th Governor has been taken possession of by Bowes as a barrack, misapprehension. The manner in which the materials were p Shall take possession unless he receive orders to the contrary.

September 10, York. Russell to same. States that he has served in a milit civil position from the time he left the University of Cambri might furnish testimonials from distinguished officers, but confi self to the Duke of Portland's letter dated in April, 1799. Had ho this letter of approbation that his services would not have been f and that this would have been strengthened by the recommenda Clinton and Simcoe. Was, therefore, disappointed that no meas been taken to prevent the administration from devolving u other member of the Executive Council, after he (Russell) h selected with the King's approbation. His apprehensions of lea family subject to the responsibilities of his situation induced apply to Camden for some other adequate provision, which migh him to resign the office of Receiver General. Refers to his ap and prays for removal to another office with an equal income, be rid of the great labour, confinement and responsibilities of t of Receiver General.

September 10, Treasury. Harrison to Shee. In consequence of the opinion of Windh Treasury has authorized the Commissioners of Transport to del ing out the articles ordered for Upper Canada till next spring.

September 12, York. Gore to same. Introduces Judge Powell.

September 20, Downing Street. Windham to Gore (No. 4). Givens, Indian agent, to be gr further leave of absence for six months.

806.

ber 24, Address to Powell by the Grand Jury for the dignified and impartial
806. manner in which he had discharged his judicial functions in the district. Page 217

ber 27. Gore to Windham (No. 4). Asks how the fees of office from the 22nd of January, when he was appointed Lieut. Governor, to the 25th of August, when he was sworn into office, are to be divided between him and Grant. Has been charged, contrary to previous practice, for freight of his baggage from Montreal to York. Asks that an order should be sent to have this charged in the public accounts, instead of to him personally. The military officers stationed in Canada are allowed a certain amount of tonnage free of expense in the King's boats from Quebec and Montreal to the posts in the Upper Province. 40

ber 28. Same to same (No. 5). Dispatches received. The payment of £700 to the Mississaugas above the sum agreed upon with Claus for their land will have a salutary effect; the lands, besides, instead of containing 70,784 acres, are now found to contain above 80,000. Will be subject to embarrassment at the next meeting of the Legislature, unless an answer is received respecting items of expenditure withdrawn as charged against taxes and duties imposed by Provincial authority. Sees no difficulty in carrying out the regulations respecting the prevention of fraud in the receipt of half-pay or allowances. 43

r 1. Same to same (No. 6). Describes the character of the population, the state of the roads, the conduct of the Indians, &c. 45
(An extract giving the important part of the letter published in Note D.)

r 8. Gore to Windham (No. 7). Sends requisition for goods to be used as presents for the Indians. 55
Enclosed. Requisition. 56

r 11. Gore to Windham (No. 8). Dispatches and circulars received. 60

r 22, Thorpe to Shee. Had been assiduous since coming to America in
n. gaining and sending information to the secretary, &c. 173
(For letter see Note D.)

r 29. Gore to Windham (No. 9). Had stated in his letter No. 6 of 1st October, that some discontent existed, fomented by persons who wished to perplex His Majesty's Government, but being a stranger did not venture to say more. Now transmits newspaper, to show what opinions are supported and encouraged by a judge in this Province. 61
(For letter see Note D.)

ber 6, Windham to Gore. Transmits copy of paper from Selkirk, pointing
ng out inconveniences which have arisen from conditions attached to his grant of land, and suggesting certain alterations to render the grant available. He also asks to be allowed to enter into a treaty with Mohawks for the purchase of a tract of land on the Grand River. Asks him to bring these subjects before the Council that a full report may be obtained. 67

ber 14. Gore to Windham (No. 10). Has granted Mr. Justice Powell six months' leave of absence. The name of the person appointed agent for the Province in room of Fisher, deceased, has not yet been announced. 68

ber 14, Harrison to Shee. Transmits letter from Grant with the public
ry. accounts of Upper Canada, audited, and approved in Council, for Windham's observations. 177

ber 20. Gore to Windham (No. 11). The necessity for a legal adviser, in cases in which it would be improper to apply to the judges; asks that the Attorney General be ordered to repair to the seat of Government without delay. 69

1806.

November 30, York. Wyatt, Surveyor General, to Windham. Enters into an explanation of the reduction of his fees of office and of other regulations, made by the Lieut. Governor without the sanction of the Council, thus interfering with the efficiency of his office. Requests that consideration be given to the subject of his grievances and to Gore's threat to suspend him from office. Page 170

December 1, York. Thorpe to Shee. Stating his exertions on behalf of Government, &c. 189

Enclosed. Addresses, &c. 197 to 214

(The letter and enclosures in Note D.)

December 3, York. Gore to Windham (No. 12). Transmits requisition for goods required for a further payment for the lands purchased from the Missisaugas. 70

Enclosed. Requisition. 71

December 6, York. Gore to Windham (No. 13). Sends correspondence with Brock relative to the payment of the expenses of the Indian Department, and copy of order from the Duke of Portland on the subject. 73

Enclosed. Brock to Gore, dated 9th October, that as the Indian Department in Upper Canada is under the sole control of the Lieut. Governor, all military interference must cease, but to save the inconvenience of a sudden change, will advance the money for payments, charging it to the Civil Government of Upper Canada. The good impression made on his mind by the able management of Claus. 74

Gore to Brock, 20th November. Encloses extract from letter of the Duke of Portland, dated 13th December, 1796, containing directions for the payment of the Indian Department out of the military chest. 76

Portland to Prescott (extract). 78

(The last letter in full is in Q. 77, p. 222.)

December 11, Downing Street. Windham to Gore (No. 6). Sees no reason to believe that the temporary house for the accommodation of the Lieut. Governor was intended for military purposes. (See Gore's No. 3 of 8th September, p. 36, on this subject.) Sees no reason to disapprove of its being appropriated for the temporary residence of the Lieut. Governor. 36

December 15, London. Memorial of W. Dummer Powell, for half the salary of the Chief Justice (£1,050) for having acted in that capacity during his absence. 215

December 30, Treasury. Harrison to Shee. Transmits letter from Grant, with the accounts of Upper Canada, for Windham's opinion. 219

December 30, Treasury. Same to same. Transmits letter from Grant, with abstracts of warrants on the Receiver General of Upper Canada, for Windham's opinion. 220

1807.

January 5, Downing Street. Windham to Gore (No. 7). The portion of the fees to the Governor or Lieut. Governor, during the temporary administration of the President, is usually half of those received by the latter from the date of the Governor's commission. Shall recommend that the expense of transporting his baggage in the King's boats shall be allowed, and that a proportion of tonnage annually shall be allotted to him (Gore) on these boats. Shall send instructions respecting the application of moneys in the hands of the Receiver General. 61

No date. Memorial of Mary, widow of Chief Justice Elmsley, stating that her late husband, owing to removal first to York and then to Lower Canada, was obliged at great expense to purchase houses in York and Quebec, besides having had a house built at Newark, and praying that the houses at York and Quebec be purchased by Government for military or other public purposes. 22

LIEUT. GOV. F. GORE—1807.

Q. 306.

1807.
ary 19, Gore to Windham (No. 14). Has suspended Wyatt from the office of Surveyor General. The resignation of Thomas Ridout not accepted, and his dismissal by Wyatt not sanctioned. The documents relating to the office and its management enclosed. The necessity for firmness owing to the present opposition in the Province. Page 2

Enclosed. Extract from letter of Wyatt, dated 30th November, 1806, recommending the promotion of Thomas Ridout, and that Charles Willcock should succeed to the clerkship thus left vacant. 8

Report of Council, dated 19th December, 1806. That the wish of Wyatt to displace Chewett and Ridout from their situations in the land granting department should not be agreed to. 9

C. B. Wyatt to Ridout, 31st December, 1806. That after the present half year he is no longer to be attached to the deparment of the Surveyor General. 11

Report of Council, 2nd January, 1807. That Ridout can only be removed by the orders of the Lieut. Governor, and that Wyatt be directed to report his reasons for dismissing Ridout. 13

Halton, Governor's private secretary, to Wyatt, 2nd January, 1807, desiring him to send his reasons for dismissing Ridout. 15

Wyatt to Halton, 3rd January, 1807. Sends copy of his commission, by which he has the power to conduct the business of his office. 16

Gore to Wyatt, 3rd January, 1807. Ridout to continue to perform the duties of his office; should there be any charges against him, they are to be committed to writing. 18

Wyatt to Gore, 5th January, 1807. That he cannot continue Ridout in his office. 19

Solicitor General's report, 5th December, 1806. That under the commission, Wyatt's powers are restricted, and that the appointments in his office are made by the King or Lieut. Governor, as his representative. 20

Report of Council, 5th January. That Wyatt's letter is a direct disobedience of His Excellency's positive order. Wyatt's commission gives him no power to dismiss clerks from his office. The present occasion is one calling on His Excellency to exert his power. 23

Small to Gore, 16th January. That Wyatt absolutely refuses to make any concession. 25

ary 19, Gore to Windham (No. 15). Circular letter received. 26

ary 19, Same to Shee. That letter has been received, stating that $100,000 were to be sent to Canada in consequence of Craigie's representation. 27

ary 24, Same to Windham (No. 16). John Mills Jackson may apply for a grant of land. Encloses report by Solicitor General on the conduct of Jackson, who is about to leave for England. Has, therefore, directed the Solicitor General not to proceed in a prosecution against him. 28

Enclosed. D'Arcy Boulton, Solicitor-General, to Gore, 23rd January. The seditious utterances of John Mills Jackson, rendering him liable to prosecution and punishment. Policy prescribes a little relaxation, and His Excellency's system will gradually remove seditious principles. Shall, therefore, refrain from poceeding against Jackson. 29

ary 27, Gore to Windham (No. 17). Recommends Judge Powell to be appointed a member of the Executive Council. The present composition of the Council. Powell's services, &c. 31

ary 27, Same to same (No. 18). Additional reasons for the dismissal of Wyatt from his office of Surveyor General. The importance of sustaining the Lieut. Governor in his action. 34

1807.

Enclosed. (Document relating to Wyatt and the political con of the country. Printed in full in Note D.)

March 7, Downing Street. Windham to Gore (No. 8). Directs that a report be sent wh Elmsley's house be suitable and required for public buildings have a valuation made of the same. P

March 12, York. Gore to Windham (No. 19). The Legislature met on the 2 February for the despatch of business; sends copies of spee the two Houses and their reply. The prorogation took place on th instant; sends copies of speech and addresses. After the violen turbulent conduct of the Assembly during Grant's administrati affords him the highest satisfaction that no attempt was made to fere with the measures or embarrass the Executive Government. sum of £617 13s. 7d. replaced in the Provincial Treasury; has rem every possible ground of complaint, and the House withdrew its to the appropriation of that sum, the resolution being carried wit dissent of Justice Thorpe only, who has uniformly opposed every sure that could promote the peace or strengthen the hands of Go ment. Believes that next session a sum will be voted for the supp the Civil Government.

Enclosed. Speech at opening.

Addresses. Council, 52. Assembly, 53.

Speech on prorogation.

March 13, York. Gore to Windham (No. 20). Narrative of the character and co of Justice Thorpe. The letter with documents enclosed. 39 (Printed in full in Note D.)

April 1, York. Gore to Shee. Dispatches sent by way of Halifax seldom under five months. Asks that they be directed to the care of T William Moore, agent for the British packets at New York, by private letters from London are usually received in from seven to weeks.

April 22, York. Gore to Windham (No. 21). Has appointed William Chewett, surveyor, and Thomas Ridout, senior clerk, to execute the duties Surveyor General's Department, in consequence of the suspens Wyatt.

April 23, York. Same to same (No. 22). Had been obliged, from the genera notorious bad conduct of Joseph Willcocks, Sheriff of the District, to remove him from his office and appoint Miles McL late a captain in the Canadian Volunteers to succeed him. Sen affidavits respecting the conduct of Willcocks.

Enclosed. 1. Affidavit of George Richard Ferguson.

2. Of Ranny L. Besserer.

3. Titus G. Simons.

4. Joseph Cheniquy.

5. John Richardson.

Certificate of H. Allcock of Richardson's good character.

April 24, York. Gore to Windham (No. 23). Sends letter and memorial from W Claus, Deputy Superintendent of Indian Affairs and strongly mends that his claim should be granted. The constant expense en on him by the Indians making use of his house where they live an sist every time they visit Niagara.

Enclosed. W. Claus to Gore, Fort George, 14th September, Sends memorial respecting his present situation as Deputy Super dent General of Indian Affairs, his salary, duties, &c.

Memorial of same date.

Copy of letter from James Green, Military Secretary, dated December, 1800, respecting his appointment and that General H saw no difficulty, at a proper opportunity, of getting an addition present salary to make it equal to that of his predecessor.

Castlereagh to Gore (No. 1). Acts (enumerated) passed in Upper Canada in February, 1805, have been considered and do not appear liable to any objection. Page 145

Gore to Windham (No. 24). Transmits abstract from the Auditor's docket books of grants of land in Uppor Canada, from 1st January to 31st December, 1806. 148

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada which have passed the Great Seal of the Province between the 1st January and 31st December, 1806.

Counties.	No. of Grants.	Districts.	No. of Acres.	Total No. of Grants.	Total No. of Acres Granted.
York	155	Home.	32,007½	155	32,007½
Durham	10	Newcastle.	2,146	30	7,600
Northumberland	20		5,454		
Lincoln	48	Niagara.	11,022	48	11,022
Glengarry	18	Eastern.	3,379	101	19,520
Dundas	41		7,900		
Prescott	2		600		
Russell	1		200		
Stormont	39		7,441		
Grenville	17	Johnstown.	3,454	69	14,243
Carleton	3		600		
Leeds	49		10,189		
Essex	52	Western.	12,313	66	16,957
Kent	14		4,144		
Middlesex	11	London.	4,524	54	16,715
Norfolk	27		7,471		
Oxford	16		4,720		
Frontenac	31	Midland.	4,500⅘	88	21,910⅘
Hastings	15		4,676		
Lennox and Addington	30		8,158		
Prince Edward	12		4,576		
			Total	611	139,975⅘

Errors excepted.

PETER RUSSELL,
Auditor General.

1807.

May 23, York. Gore to Windham (No. 25). Transmits list of the half-pay officers persons in receipt of military allowances within the Province, lists of magistrates who have been appointed commissioners for adi istering the oaths to said officers. Page

List of persons appointed Commissioners for the purpose of adm tering the oath to Officers on half-pay and military allowa residing in the Province of Upper Canada, accompanied with signatures of each, in his own handwriting; formed in obedienc the orders and regulations contained in a circular letter from Right Honourable William Windham, one of His Majesty's Prin Secretaries of State, to Lieut. Governor Gore, dated Dow Street, 1st June, 1806.

Names of Commissioners.	District for which they act.		Signatures in the handwriting
John McDonald, of Glengarry House.	Eastern.	*a*	
John McDonell, of Scohouse.			No answer recei
John Stuart.		*b*	letter in triplic
Edward Jessup.	Johnstown.	*c*	his signature.
William Fraser.		*d*	
Joel Stone.		*e*	Marks of refere
Thomas Dorband.	Midland.	*f*	their signature
Archibald MacDonell.		*g*	mitted herewi
Hazleton Spencer.		*h*	separate slips
Alexander Chisholm.	Newcastle.	*i*	per.
John Bluchere.		*j*	
Robert Baldwine.		*k*	
William Allan.	Home.	*l*	
Alexander Wood.		*m*	
Richard Hall.		*n*	
John Warren, sen.	Niagara.	*o*	
Robert Kerr.		*p*	
Richard Beasley.		*q*	
Samuel Street.		*r*	
Thomas Cummings.		*s*	
Joseph Edwards.		*t*	
Thomas Talbot.	London.		
Samuel Ryerse.			
Nathan B. Barnum.			
Angus Mackintosh.	Western.		
Gregor McGregor.			
Alexander Duff.			

FRANCIS GORE,
Lt. Govern

York, Upper Canada,
23rd April, 1807.

807.

LIST of half-pay Officers and persons on military allowances in the Province of Upper Canada, formed from the returns of the said Officers, in obedience to the orders and regulations contained in a circular letter from the Right Honourable William Windham, one of His Majesty's Principal Secretaries of State, to Lieut. Governor Gore, dated Downing Street, 1st June, 1806.

No.	Names.	Rank and Corps, &c.	Age.	District in which they reside.	Periods from which they had been in the receipt of half-pay.
1	Anderson, Samuel.	Captain, King's Royal Regt., New York, 1st Battalion	67	Eastern	Dec. 25, 1783
	Anderson, Joseph.	Lieut. do do	45	do	do 25, 1783
	Adams, Gideon	Lieut., Royal Rangers	52	Johnstown.	In 1783
	Adams, Samuel.	Military allowances	77	do	Since 1783
5	Anderson, Peter	Ensign, Roger's Rangers	65	Home	In 1783
	Arnold, Henry.	Lieut., Amer. Legion of Cavalry	34	Johnstown.	In 1783
7	Arnold, Richard	do do	37	do	In 1783
8	Ball, Jacob	L'eut., Butler's Rangers	73	Niagara	June 25, 1784
	Bowen, William	Lieut., Six Nation Ind. Dept.	66	Midland	do 25, 1784
10	Butler, Johnson.	Ensign, 102nd Regt. of Foot		Niagara	1783 or 1784
	Bradt, Andrew	Captain, Butler's Rangers	57	do	In 1784
	Ball, Peter	Lieut. do do	51	do	June 25, 1784
	Brant, Joseph	Captain, Indian Dept.	62	Home	In 1787
	Brass, David.	2nd Lieut., Butler's Rangers	56	Midland	In 1784
15	Breakenridge, David	Ensign, King's Rangers	43	Johnstown.	In 1783
	Breakenridge, Jas.	Lieut. do	50	do	In 1783
	Bottum, Elijah	Ensign, Loyal Rangers.	48	do	In 1783
	Buell, Wm.	Ensign, King's Rangers.	55	do	In 1783
	Burns, Alex	Paymaster, Queen's Rangers		Home	Feb, 24, 1803
20	Butler, Thomas	Lieut., Butler's Rangers	51	Niagara	June 25, 1784
	Bethune, John	Chaplain, 84th Regt., 1st Batt.		Eastern	do 25, 1784
	Campbell, Donald.	Captain, York Rangers		Niagara	do 25, 1784
	Chapman, Amos	Quarter-Master, British Legion	50	do	Oct. 24, 1783
	Clement, Joseph	Lieut., Six Nation Indian Dept	55	do	June, 1784
25	Crawford, Wm.	Ensign, King's Royal Regt., New York, 2nd Battalion	38	Midland	June 25, 1784
	Church, Oliver	Lieut., do do	50	do	do 25, 1784
	Campbell, Jas.	Ensign, Loyal Rangers.	55	Johnstown.	In 1783
	Clement, John	Lieut., Six Nation Indian Dept	47	Niagara	June 25, 1784
	Caldwell, William	Captain, Butler's Rangers	52	Western	July 24, 1784
30	Clench, Ralfe	Lieut. do	43	Niagara	June 24, 1784
	Dusenbury, John	Ensign, Jessup's Corps	53	Midland	In 1784
	Drummond, Peter.	Captain, Loyal Rangers.	56	Johnstown.	In 1783
	Dulmage, John	Lieut. do	61	do	In 1783
	Diemarde, Augustus	Ensign, Loyal Am. Regt	40	do	Oct. 25, 1783
35	Elliott, Matthew.	Capt., Six Nation Indian Dept.	55	Western	In 1784
36	Funiamore, Richard.	Ensign, West Jersey Volunt'rs	64	London	In 1783
	Fravies, William.	Quar.-Master, Amer. Dragoons	52	do	Oct. 24, 1783
	Frey, Bernard	Captain, Butler's Rangers	57	Niagara	June 25, 1784
	Fraser, Thomas	Captain, Loyal Rangers.	58	Johnstown.	In 1783
40	Fraser, William.	Captain do	60	Eastern	In 1783
	French, Jeremiah	Lieut., King's Royal Amer. New York, 12th Batt.	63	do	June 24, 1784
	Fulton, Thomas.	Capt., King's Amer. Dragoons	47	Home	Oct., 1783
	Fanning, Barclay	Lieut., Amer. Regt. of Foot.	44	Niagara	Oct. 24, 1783
	Gamble, John.	Surgeon, Queen's Rangers.		Midland	Dec. 24, 1802
45	Graham, William	Capt., D. of Cumberland Provl. Regt	51	Home	Aug. 25, 1783
	Herschfeldt, John.	Provincial Officer.	62	Midland	June 2, 1786
	Hare, Peter.	Captain, Butler's Rangers.	60	Niagara	In 1784
	Hutchinson, William	Captain, New Jersey Vols	61	London	Oct. 25, 1783
	Johnston, William	Lieut., Six Nation Indian Dept.	46	State N. York	In 1783
50	Johnston, William	Captain do do	68	Midland	In 1784
	Jessup, Edward.	Major, Loyal Rangers	70	Johnstown.	Dec. 24, 1783
	Jessup, Edward, jun.	Lieut. do	40	do	do 24, 1783
	Johnson, Brant	Lieut., Six Nation Indian Dept.	62	Niagara	In June, 1784
	Jessup, Joseph.	Captain of Loyalists	69	Johnstown.	Dec. 24, 1783

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List of half-pay Officers and persons on military allowances, &c.—*Con.*

No.	Names.	Rank and Corps, &c.	Age.	District in which they reside.	Periods from which they had been in the receipt of half-pay.
55	Kerr, Robert	Surgeon, 2nd Batt. King's R. R., New York.	....	Niagara	....
	Lippencolt, Richard.	Provincial Officer	61	Home	Dec. 25, 1787
	Lawson, William	Ensign, Loyal Rangers	53	Johnstown	In 1783
	Monro, John	Lieut., New Jersey Vols.	48	London	In 1783
	Meyers, Jno. William	Captain, Loyal Rangers	61	Midland	Dec. 25, 1783
60	McNab, Allan	Lieut., Queen's Rangers, Light Dragoons	46	Home	Nov. 24, 1783
61	Merritt, Thomas	Cornet, Queen's Rangers, Dragoons	46	Niagara	do 24, 1783
	McDonell, Archibald	Lieut., 84th Regt., 1st Batt.	57	Midland	June 24, 1784
	McDonell, Miles	Ensign, King's R. Regt., 1st Batt., New York.	39	Eastern	Dec. 24, 1783
	McDonell, Allan	Lieut. do do	62	do	do 25, 1783
65	McNabb, Colin	Ensign, Rl. Nova Scotia Vols.	42	Niagara	Since 1783
	Magin, George	Lieut., Six Nation Indian Dept.	51	Midland	Ju'e 25, 1806, perhaps 1784
	McMartin, Malcolm.	Lieut., King's R. A., New York, 1st Batt.	59	Eastern.	Dec. 25, 1783
	McMillan, Alexander	Lieut., Genl. Delancey's Regt., 1st Batt.	50	do	Oct. 25, 1783
	McLean, Niel.	Lieut., 84th Foot	46	do	June 25, 1784
70	McDonell, Angus	Lieut., D. of Cumberland's Provl. Rt. of Foot	55	do	In 1783
	McDonell, John	Captain, Butler's Rangers.	48	do	— 24, 1784
	McDonell, John	Captain, King's Rl. Rt., N. York	79	do	Dec. 25, 1783
	McDougall, Rt. John	Lieut., 8th or King's Regt. Foot	42	Western	June 25, 1783
	McDonell, Alexander	1st Lieut., Butler's Rangers.	44	Home	In 1784
75	Nellis, Robert	Lieut., Six Nation Indian Dept.	45	Niagara	June 25, 1784
	Pawling, Benjamin.	Capt.-Lieut., Butler's Rangers.	57	do	do 25, 1784
	Peters, John	Ensign, Loyal Rangers.	44	Newcastle	Dec. 25, 1783
	Playter, George	Provincial Officer, Military allowances	68	Home	Mar. 25, 1796
	Parret, James	Lieut., Loyal Rangers	66	Midland	In 1784
80	Reyerson, Joseph	Lieut., Prince of Wales' Am. Rt.	44	London	Oct. 25, 1783
	Ryerse, Samuel	Capt., 3rd Bat. New Jersey Vol.	54	do	In 1784
	Reynolds, Caleb	Lieut., Butler's Rangers	51	Niagara	Since 1784
	Ryckman, John	Lieut., Indian Department	50	do	In 1784
84	Rosk, Odel James	Ensign, 103rd Regt. of Foot.	40	do	In 1783
85	Robinson, James	Lieut., Loyal Rangers	68	Midland	Dec., 1783
	Stephenson, Francis.	Captain, Queen's Rangers	56	Niagara	In 1783
	Stewart, Alexander.	Lieut., King's Am. Dragoons.	47	do	In Oct., 1783
	Simmon, Henry	Lieut., Jessup's Corps	66	Midland	In 1784
	Spencer, Hazleton	Lieut., King's R. R., 2nd Batt., New York.	49	do	June 25, 1784
90	Stuart, John	Chaplain do do	67	do	June, 1784
	Sharp, Gaysbart	Lieut., Loyal Rangers	67	do	In 1783
	Smith, Thomas	Ensign, King's R. A., N. York.	45	Johnstown	In 178
	Sherwood, Thomas	Ensign, Loyal Rangers	60	do	In 178
	Snyder, William, sen.	Ensign do	69	do	In 178
95	Shaw, Æneas	Captain, Queen's Rangers	....	Home	Dec. 25, 178
	Servas, Jacob	Lieut., Six Nation Indian Dept.	52	Niagara	June 25, 178
	Shannon, Daniel	Ensign, N. Jersey Vols., 2nd B.	53	do	Dec. 25, 17
	Turney, John	Lieut., Butler's Rangers	64	Niagara	In 17
	Thompson, Timothy.	Ensign, King's R. R., N. York.	43	Midland	June 25, 17
100	Tupper, Edward	Lieut., Guides and Pioneers.	57	Johnstown	In 17
	Tyler, William	Lieut., King's Rangers.	63	London	Dec. 25, 17
	Trumpour, Paul	Ensign, Delancey's Loyalists.	48	Johnstown	In 17
	Vincent, Elijah	Ensign, Guides and Pioneers.	44	Niagara	Dec. 25, 17
	Van Allan, Henry	Ensign, New Jersey Vols.	39	London	Oct. 24, 17
105	Wright, Edward	Quarter-Master, Queen's Rangers, Cavalry	64	Home	In 17
	Welch, Thomas	Q.-Master, Maryland Loyalists	63	London.	In 17
	Williams, Jonathan.	Captain, Guides and Pioneers.	55	do	Oct. 24, 17
108	William, Hynant	Provincial Officer, Military allowances	51	do	In 17

List of half-pay Officers and persons on military allowances, &c.—*Con.*

No.	Names.	Rank and Corps, &c.	Age.	District in which they reside.	Periods from which they had been in the receipt of half-pay.
109	Young, Henry.....	Lieut., King's R. R., N. York.	68	Midland	June 24, 1784
110	Young, John	Lieut., Indian Department....	64	Niagara	Since 1784

FRANCIS GORE,
Lt. Governor.

York, Upper Canada,
23rd April, 1807.

Gore to Windham (No. 26). Recommending that some remuneration should be given to Colonel Shaw, who had lost his full pay when the Queen's Rangers were reduced in 1803, and had either to lose his half-pay or his seat in the Executive Council, which latter he had resigned, but acted without salary by special request. Page 162

Same to same (No. 27). Transmits Acts to which the Royal assent was given at the close of the third session of the fourth Parliament of Upper Canada. 166

Enclosed. Schedule of the Acts passed. 167

Same to same (No. 28). Transmits the signature of John McDonell, one of the commissioners for administering the oaths to half-pay officers. 170

Same to same (No. 29). Transmits memorial of John McGill, Inspector General of Public Accounts, which is so reasonable that he approves of the report of the Executive Council respecting it, and has allowed the Inspector General to make a charge for a clerk and office rent. The salary is inadequate to the importance of the duties. His satisfaction, after complaining of the conduct of some of the officers, to present McGill to his (Windham's) notice, as a diligent, able and faithful servant of the Crown and a most worthy and honourable man. 171

Enclosed. Report of the Executive Council that the prayer of McGill's memorial is reasonable and just, and that the salary is, besides, inadequate to the labour and importance of the employment. 173

McGill's memorial. 175

Castlereagh to Gore (No. 2). The well grounded reason for suspending Thorpe from the office of Judge in Upper Canada; he is, however, to be told that another professional situation may be found for him under the assurance that he will confine himself to the duties of his profession. The suspension of Wyatt approved of. Cannot understand Brock's objections to continue the payment of the expenses of the Indian Department. The address of the Assembly relative to certain moneys which had been appropriated out of the Provincial revenue, with other papers, referred to the Solicitor and Attorney General; their opinion enclosed. Is happy to find that he had followed the course recommended by the law officers. The necessary requisition has been made for the supply of stores for the Indians. Has laid before the King the recommendation to give Powell a seat in the Executive Council. Firth, appointed Attorney General, will deliver this despatch. 206

Same to same (No. 3). Transmits two memorials praying that some legislative provision may be made to render lands in the Canadas liable for the payment of simple contract debts. 209

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June 22, York. Gore to Windham (No. 30). Recommends McGill as succes Shaw in the Executive Council, and that Mr. Justice Powell shou appointed an honorary member. Pa

June 26, York. Same to same (No. 31). The inconvenience that may arise public service from the Lake Marine being under military co Requests that instructions be given to invest the Lieut. Govern administrator with the power of giving special orders to the o commanding the vessels, as to the time of these sailing, and of des ing them in cases of emergency on the public service. The gre tance from Quebec prevents the possibility of communicating wit Commander-in-Chief in any reasonable time for cases of emer whilst vessels are lying at Kingston idle.

June 28, York. Same to same (No. 32). Transmits memorial from Jarvis, sec of the Province, and report of Council, and is satisfied that the cl just. How it could be met.

Enclosed. Report of Council on memorial by Jarvis.

Memorial, which shows a loss to the memorialist on patents fo grants of £715.

Reference to Council.

July 1, York. Gore to Windham (No. 33). Acknowledges receipt of disp The March mail lost in the River St. John.

July 1, York. Same to same (No. 34). Transmits report of the Executive C on a memorial from Lord Selkirk for certain lands reserved for Upper Canada. Refers to the report for the conditions laid do Hobart and the danger of changing the general rules in favour individual.

Enclosed. Report of the Executive Council on Selkirk's me which enters into minute details of the conditions, the effect of ch the general principles of granting land, &c.

August 14, York. Gore to Cooke. It would render the Province a service we *mandamus* to be made out and forwarded for McGill and Powell, mended for seats in the Executive Council. Affairs at present but what the sovereign people in America may think proper to almost impossible to imagine. Emmett is very busy and has some admirers in the Province.

August 21, York. Same to Castlereagh (No. 2, letter No. 1 is in Q. 308, p. 1.) R ing the conduct of Justice Thorpe, with ten enclosures. 212

(The letter with enclosures printed in full in Note D.)

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Q. 308—1. Q. 308—2.

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(Q. 308—1 contains 238 pages; Q. 308—2 begins at page 239.

August 14, York. Gore to Castlereagh (No. 2). Transmits minutes of the Ex Council on State matters from 2nd January, 1805, to 25th August and on land matters from 2nd January, 1805, to 19th August, 18

(For letter No. 2 of 21st August, 1807, see Q. 306, p. 212.)

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Proposed proclamation, which states that "on the 28th of January "last past, a most daring and wicked attack was made upon the house "and person of Benajah Mallory of the township of Burford, in the dis- "trict of London, Esquire, by certain evil and wicked disposed persons "or persons as yet unknown, in discharging firearms through the win- "dow of the said house, loaded with shot and ball, whereby the life of "the said Benajah Mallory then being therein was in imminent hazard "and danger," and offering a reward of $400 for the discovery of the perpetrators of the crime. 14
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LIEUT. GOV. F. GORE. MINUTES OF LEGISLATIVE (EXECUTIVE) COUNCIL 1807.

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gust 31, wning set. Castlereagh to Gore. Sir James Henry Craig appointed Commander and Governor-in-Chief of Upper and Lower Canada, New Brunswick, Nova Scotia, Prince Edward Island and Cape Breton. Copies of his commission and instructions transmitted for guidance, so far as respects Upper Canada. 294
(The commissions and instructions are not with this letter.)

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September 6, Montreal. Gore to Castlereagh (No. 3). The command of the forces in Upper Canada assumed by Colonel Bowes on the death of Hunter and by Brock on the departure of Bowes. In consequence of recent occurrences in the United States, had gone to Montreal to consult with Brock, to make arrangements for the protection of Upper Canada. It having been decided that he (Gore) was responsible, he had taken upon himself the command of the forces in Upper Canada, and would report the measures he had thought it necessary to pursue under the circumstances.

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April 1, York. Willcocks to Windham. Respecting his dismissal from the office of High Sheriff. 1
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April 13, Treasury. Harrison to Cooke. The Treasury has recommended the payment to Rev. Edward Kempe of the sum of £1,035 3s. 1½d. as compensation for his losses, and have given directions accordingly.

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12, Opinion of the Attorney and Solicitor General. That the Provincial
n. revenues should be applied according to the terms of the Statute and that the amount misapplied without the authority of the Legislature should be repaid, but that it would not be improper to expect that as the expenditure was for Provincial purposes it might be authorized by the Legislature. 152
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n. he was dismissed. 159
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ary. of salary, so that the opinion of Castlereagh may be obtained thereon. 161
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on. Hears that Chewett and he have been appointed joint Surveyor General. 162
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n. charges made against him, so that he may vindicate his character. 164
Paper entitled "A copy verbatim of charges made against Mr. Wyatt "by the Government of Upper Canada," apparently in answer to Wyatt. No date. 167
7, Wyatt to Cooke. Acknowledges receipt of letter respecting the
on. charges against him. It will be six or seven days before he can answer them, as he has many papers to arrange. 169
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on. to be incurred by Thorpe in coming to defend himself in London. Asks for the situation of Admiralty Judge in Halifax, or a position in Lower Canada, or the removal of the suspension, or at least a free passage for himself and family. 171
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16, Powell to Cooke. Requests that the 6,000 acres granted to him for
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Enclosed. Correspondence, &c., respecting the defence. 215 t

July 28, London. Same to same. Presumes that an investigation will be into the charges against him. Asks for an order from the Secreta State for the payment of his salary.

July 29, York. Gore to George Watson. The political situation.

Enclosed. Communication from New York, dated 17th June, respecting proceedings in Upper Canada.

(Letter and enclosure printed in Note D.)

August 5, London. Order-in-Council that a bill for establishing a Court of Chan cannot be approved, the Governor being already invested with suff authority.

Table of fees annexed to the Order-in-Council.

August 7, Treasury. Harrison to Cooke. In reference to letter from Commissary Ge Coffin, the Treasury desires to know the opinion of Lord Castler whether it may not be expedient to provide at Montreal the intended for the payment of the lands purchased from the saugas.

August 7, London. Memorial from William Bond. Had been employed by the Ag tural Society of Upper Canada to lay before the Board of Arts, &c. for encouraging agriculture, the cultivation of hemp, &c., in U Canada. Desires to return and requests for remuneration.

August 7, London. William Bond to Cooke. Transmits petition for presentation.

August 13, London. Powell to Adam Gordon. Thanks for his kindness. The failu his (Powell's) mission. Urges the payment of his arrears to sav from the distress in which he is involved by domestic misfortune.

August 14, York. Thorpe (unaddressed). Further about his grievances.

Enclosed. Brant to Claus, Niagara, 2nd July.

Meeting of the electors of the Counties of York, Durham and Si 24th July, 1807.

(Letter and enclosures printed in Note D.)

August 18, London. Wyatt to Castlereagh. Requesting that he may be paid his sala Surveyor General and the usual emoluments, until it may be ascert that he is unworthy of that indulgence.

August 18, London. King to Cooke. In considering the correspondence relati Powell's increase, he believes it was intended to augment his salary time before this was carried into effect; that no promise was made it should take effect on 1st January, 1797, and that objections are its being inserted in the estimates before 1st January, 1799.

Enclosed. Copy of correspondence referred to in letter.

August 19, Oldham. Petition of labourers in Lancashire to be assisted to emigra Upper Canada, there to receive allotments of land. If the petiti are encouraged there will be a great number more.

August —, London. Powell to Gordon. Sends returns of the population, &c., of c the districts of Upper Canada, with a rough estimate of the pro strength of the militia.

Enclosed. Return of population in the Midland District.

General account of the rateable property in the same.

August 26, London. Report of Privy Council, approving of an Act to authorize sher levy all necessary costs in suits before Courts in Upper Canada.

August 28, Downing Street. Castlereagh to Wyatt. The explanation of the charge of erasi name of a grantee and substituting his own appears to be satisfa but it must be transmitted to Gore for consideration and reply. D suspension, he is not entitled to salary.

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ust 28, nury.

Harrison to Cooke. To move Castlereagh to send orders to the Governor of Upper Canada, to provide goods to pay for the lands purchased from the Missisaugas. Page 288

ember 4, nslow.

De Puisaye to ———. Is unable at present to wait upon him. M. Dallegre can explain the state of affairs respecting the settlement in Upper Canada. Asks his influence to obtain for him a Royal patent for lands acquired from the Messisaugas. 289

ember 5, hampton.

John Mills Jackson to Castlereagh. The grievances of Upper Canada. 291

(Printed in Note D.)

ember 8, don.

Wyatt to Cooke. Asks to be furnished with authority to obtain certified copies of the official documents specified in a list, as this is the only evidence he can procure when at this distance from Canada, so as to vindicate his character. The payment of his salary is of importance, but less so than the rescue of his character from imputations on his probity. Hopes that the suspension will not be confirmed till he is appointed to another office. Calls attention to the large expenses he has incurred in transporting himself, family, &c., to and from Canada; hopes; therefore, he may be allowed his salary for the office in Upper Canada, until he shall receive another situation. 303

Enclosed. List of papers referred to in the letter. 309

tember 18, &c.

Thorpe to Cooke (?). Continuation of correspondence respecting affairs in Upper Canada. 314

(Printed in Note D.)

tember 20, &c.

Same to same. Calls attention to the protest of the bills drawn last January for his salary, owing to the want of a formality never before declared to be necessary. The ruin to his credit, the large legal expenses, &c.; his distressed condition. 321

tember 22, don.

Wyatt to same. Desires to see him in reference to his salary. 323

tember 28, itehall.

Fawkener to same. The Lords of Trade recommend that William Bond should receive, either in Upper or Lower Canada, 200 acres of land to conduct the cultivation of hemp. 325

ber 1, George.

Claus to Coutts & Co. That he has drawn for £400 interest on the money deposited with them on account of the Indians. 327

ber 4, &c.

Gore to Watson. On the affairs of Upper Canada. 328

Enclosed. Wyatt to Thorpe, dated Dublin, 19th May, 1807. 344

Remarks by Gore. 342

Wyatt to Baldwin, dated London, 15th June, with remarks by Gore. 352

Information by Mrs. Wyatt. 374

(The letter with enclosures printed in Note D.)

ber 4, &c.

A list of members of the House of Assembly of Upper Canada enclosed in Gore's letter (p. 328), dated as in margin. 375

ber 7, &c.

Gore to Castlereagh (No. 5). Had stated that he had taken the command of the forces in Upper Canada, Brock having declined to take the responsibility for future measures there. Encloses copy of a dispatch from Vice Admiral Berkeley. Has thrown supplies of provisions into the posts of Amherstburg and St. Joseph's on account of the Indians, who had neglected their corn fields, expecting to be called out to war by the British Government. But for the conduct of Claus and other officers of the Indian Department, the Indians would have made war upon the Americans some time since. Has directed a general council of the Western Indians to be held at Amherstburg. By the time it can be assembled, conceives the determination of the two Governments may be known. Reports the deficiency of arms for the militia. Has obtained a supply from Brock of only 4,000 stands. Has, therefore, refrained from

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calling out the militia that the Americans may not be acquainted with the weakness. The regular forces do not amount to more than 400 men. Page 2

Enclosed. Vice Admiral Berkeley to Gore. Halifax, N.S., 17th August, 1807. His advices from Washington show the probability of war between Britain and the United States. The necessity of being prepared. There is a secret agreement that if the events of war should put the Americans in possession of the British colonies in America, they are to be transferred to France, or erected into a separate kingdom governed by a Frenchman. 5

Claus to McKee. York, 7th October. By desire of Gore the Western Indians are to be assembled for a council as soon as possible. 7

October 8, York. Gore to Castlereagh (No. 6). Sends requisition for goods for Indian stores. 9

Enclosed. Requisition 9*a* to 9*c*. (The requisition is dated the 8th, the original letter is dated the 1st, an evident error as appears by its number and the date on the requisition.)

October 10, Downing Street. Castlereagh to Gore (No. 3). Royal assent given to reserved Act. The other Acts (named) do not appear liable to any objection. 10

October 13, York. Gore to Castlereagh (No. 7). The discontent of the Indians at not receiving their dividends, and the use made of it by designing persons. Claus will draw on the bankers for the estimated amount of interest. Asks that the bill be not protested. The sum has been advanced to the Indians with his (Gore's) approbation. 13

October 28, London. W. D. Adams to Cooke. That a bill has been drawn on him by Messrs. Chewett and Ridout, for the moiety of salary of Surveyor-General of Upper Canada, which he cannot pay without an order from Castlereagh. Requests that this be sent. 377

November 11, Gloucester. Jos. A. Small to Cooke. Hears that 1,200 acres have been granted to Bond in Upper Canada; this will enable him to cultivate hemp and rabbits; as soon as his grant is made out he will return to Canada, Castlereagh's state of health; hopes his health will soon be perfectly re-established. 379

November 14, York. Gore to Castlereagh (No. 8). Respecting the dismissal of Mr. Justice Thorpe. 15

(This with enclosures to page 25, printed in full in Note D.)

November 16, Treasury. Harrison to Cooke. Transmits report on the Public Accounts of Upper Canada for Castlereagh's remarks. 381

November 21, London. H. Thornton to Cooke. Encloses a memorial from Mrs. Da Costa for a pension. 382

Enclosed. Memorial from Mrs. Da Costa, stating her husband's services. 383

Further memorial. 388

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Certificate by Murray of the zeal and bravery of Captain Costa, at the siege of St. Philip's Castle, Minorca, dated London, 6th December, 1783. 391

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Enclosed. **Petition of Dame Mary Johnson, wife of Sir John Johnson, [illegible]ating Sir John Johnson's services and losses. 399**

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» date. Thorpe to Shee. Complaining of the conduct of the Administration. Page 34

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Brant to Thorpe, 24th January, 1807. 48

(The letter, enclosures and other documents to page 102, printed in Note D.)

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» date. Extract of letter from Gore to Gordon. 409

(Printed in Note D.)

REPORT

ON

CANADIAN ARCHIVES

BY

DOUGLAS BRYMNER, Archivist

1893

(Being an Appendix to Report of the Minister of Agriculture.)

OTTAWA
PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY
1894

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REPORT ON CANADIAN ARCHIVES.

DOUGLAS BRYMNER, LL.D., F.R.S.C., ARCHIVIST.

Honourable A. R. ANGERS,
Minister of Agriculture,
&c., &c., &c.

SIR,—I have the honour to present the report of the Historical Archives Branch for 1893.

The Archives are growing in extent and importance, and also in the estimation of those interested in historical investigations.

In consequence of the near completion of the copying in London of the documents relating to the province of Quebec, of Lower and Upper Canada, it has been thought desirable to investigate and prepare for copying the documents relating to all the other provinces. Very satisfactory progress has been made, but as the investigation covers a period of about two centuries and a half, the work is not so far advanced as to admit of a thoroughly complete report of it being now prepared.

The report for this year, therefore, comprises only the continuation of the calendar of the State Papers of Lower and Upper Canada, which has been prepared as usual in the Archives Branch.

The whole respectfully submitted.

DOUGLAS BRYMNER,
Archivist.

LONDON, November, 1893.

List of Books, &c., presented with the Names of the Givers.

Agriculture, Department of	Toronto	Reports.
Boston, Institute of Technology	Boston	Catalogue.
Buffalo Public Library	Buffalo	Report.
Cayuga County Historical Society	Auburn, N. Y	Manuel, Collections No. 10.
Civil Engineers, Society of	Montreal	Publications.
Cruikshank, Ernest	Fort Erie	A Century of Municipal History.
Geological Museum	Ottawa	Publications.
Gosselin, (l'abbé A)	St. Charles, P.Q.	Jean Nicolet Pamphlet.
Griffin, J. A	Hamilton	Pamphlet.
Harbour Commissioners	Montreal	Report.
Kelton, Capt. Dwight H	Quincy, Mich	Annals of Fort Mackinac.
Laval University	Quebec	Reports 1883 to '93.
Macalester College	St. Paul, Minn	Contributions.
Manitoba Historical Society	Winnipeg	Reports.
Master of the Rolls	London, Eng.	Domestic 1643-1647 and 1643-1660 part IV.
		Henry VIII., 1538, Vol. 13, part I.
		Colonial East Indies and Persia.
Matheson, David	Ottawa	Pamphlet.
Moore, Charles	Washington	Pamphlet.
Oblat Fathers	Paris, France	Missions de la Congrégation des Missionn Oblats, 1862 to 1893.
Prince Edward Island, Secretary of	Charlottetown	Official Publications.
Raymond, Revd. W. O	St. John, N. B.	Pamphlet.
Record Commissioners	Providence, R. I.	Early Records of the Town of Providence, 2 v
Remington, Cyrus K	Buffalo, N. Y	Pamphlet.
Rochester Historical Society	Rochester, N. Y.	Publications.
Shewen, E. T. P	Sackville, N.B	Pamphlet.
Smithsonian Institute	Washington	Report.
Toronto Public Library	Toronto	Pamphlet.
Ward, J. W. W.	Ottawa	Pamphlet.
Wentworth Historical Society	Hamilton	Journal and Transactions.
Windsor, Justin	Cambridge, Mass.	Pamphlets.
Wisconsin State Historical Society	Madison	Proceedings.
Yale University	New Haven	Reports.

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November 16, Quebec. Ryland to Sir John Johnson. Encloses copy of complaint delivered to him by three Indians. His Excellency desires the fullest information. Page 348

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November 24, Quebec. Return of ammunition (No.1) required to complete the proportion for this garrison. Signed by George Glasgow, Col. commanding Royal Artillery. 10

December 1. Gore to Craig. (Extract.) As a means of defence the Indians may prove useful; the apprehension of the Americans at Detroit on this head has caused them to issue a proclamation threatening retaliation on the wives and children of those joining the British Standard. Their resolution shaken. He should not trust too much to Indian assistance. 221

December 1, York. Queries by Gore respecting the Indians, and answers by Craig. 220

December 2, Quebec. Demand for ordnance stores (No. 2) wanted from England, signed by J. Danford. 13

December 6, Quebec. Craig to Gore. Owing to severe illness has been unable to communicate with him sooner. Hoped to have received information before now by which he might have been enabled at least to conjecture as to the probable issue of the pending controversy. A sufficient time has not elasped for the means he (Craig) has employed to take effect. Has had no communication as yet from the British Minister in the United States; he therefore knows little except the slender information which can be gleaned from the papers and the temper of the President's speech at the opening of Congress. A state of defence necessary. His Majesty's instructions, as well as his own views, on the subject, seem to point to the preservation of Quebec as the first consideration; it is the only post, defective as it is, that can be considered tenable for a moment. If America decides to attack us, powerful assistance will be needed from home. Is ignorant of the state of the Militia in the Upper Province, but is sure that he (Gore) knows the value of the co-operation and concentration of the forces, but leaves all that in his hands, as he knows the upper country. If the Americans should turn their attention to the Lower Province, which is most probable, operations must terminate in a siege; the artillery, &c., for this purpose will surely exhaust all their means and occupy all their attention, and so prevent any attack being made on the Upper Province at the same time. Has no hope that the forces here can accomplish anything more in case of attack than the checking the enemy for a short time; will eventually be compelled to take refuge in this place (Quebec); when collecting all the forces possible from both provinces we must endeavour to get as far as possible to the rear of the beseigers and cut off convoys and communications. In this way time at least can be gained. The destruction of the magazines would be very distressing to them. The American Militia are little to be feared. The command of the lakes is of great importance. If the Indians are not employed with us, they will certainly be employed against us. Caution necessary in dealing with them; the loss of the valuable Indian trade if they

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are not kept on our side. Governor Hull restricts himself to s
the Indians to remain neutral. The policy to be pursued b
Desires information as to the history of the Indian called the I
Wants communications on the subject of his (Gore's) resources.
stands that not one of his forts is in a state for making any resi
thinks it fortunate that there is no temptation to risk garr
them. P

December 15, Quebec. Requisition. (No. 3.) Gunpowder required for the garrison of
for field service, &c., signed by George Glasgow.

December 18, Raleigh, River Thames. J. Baby to Gore. Asks for instructions as to his future condu
and his brother called on the commanding officer at Amherstbur
sult as to calling out the detachments they had been ordered to
and placing them at that post, to ward danger from the reinfor
expected by our neighbours in addition to which they have jus
two hundred extra men for duty at Detroit. His answer was
had no orders to receive men, and the state of his provisions wo
allow of it; recommended applying to him (Gore). Asks that h
out what course is to be followed. In the event of the arriva
extraordinary force, what is to be done about calling out the
Must hostilities first take place? How are the militia to be provi
Has come to this river to review them. The County of Kent ver
one fourth of the whole ready for service. Essex also appears loy
(Enclosed in Gore's of 5th January, 1808.)

December 22, Montreal. Speech made by Sir John Johnson to the Indians.
(In Craig's No. 34 of 22nd October.)

December 23. Proceedings of a council held with the Iroquois and Caughnaw
Sir John Johnson.

December 28, Montreal. Johnson to Ryland. Transmits the results of the meeting he
the Iroquois of the Lake of Two Mountains and the Caughn
The reception of the three young Indians who went to England
sent their complaint, has made them insolent. On his refusing
issues till instructions were received these young men threatened
Quebec. Something must be done to check them, or they will
unmanageable.
(In Craig's No. 34 of 22nd October.)

December 29, York. Gore to Baby. The loyalty of the men of Kent. Should
reinforcements be made to the garrison of Detroit, one-fourth
militia should be called out; will direct Lt.-Col. Grant to receiv
into the garrison of Amherstburg. To wait for hostilities might
defence ineffectual. Arms and ammunition to be issued as ne
If one-fourth of the militia does not seem sufficient, more may b
out, even if necessary, the whole body. At this distance particular
tions are impossible. Beef to be furnished for the militia. Has a
dence in his (Baby's) zeal and discretion.
(In Craig's No. 25 of 15th July.)

December 29, York. Gore to Lt.-Col. Grant. Encloses copy of his letter to Baby, I
ant of the County of Kent. The defence of the country can
directed by persons on the spot. If the garrison of Amherstb
pears weak he should receive the militia. Arms to be given out a
sary. Rations to be issued the same as to regulars.
(In Craig's No. 25 of 15th July.)

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January 5, York. Same to Craig. Has been much honoured with the secret des
6th December, brought by Ensign Shawe. The unfavourable re
his (Craig's) health prevented his communicating sooner. I
similar state for want of intelligence. Only one communication
from Erskine and that just after the Chesapeake affair. Does no
with him that in such a state of uncertainty, we should be prep
hostility. The extent and slender population of this province all

too good grounds for the plan specified in His Majesty's instructions. Beyond defending it from a partial or sudden incursion, little could be done; this fact must be kept from the knowledge of the people. Sends return of the militia. The inabitants from Kingston to the Lower Province are to be depended on; those about Niagara and Long Point are doubtful: except those at Glengarry, the rest of the inhabitants are chiefly emigrants from the United States and retain their prejudicial ideas of equality, &c. The militia must be placed so as to repel sudden attacks. Agrees with him (Craig) as to the advisability of harrassing the enemy in case of an attempt on Quebec; shall never lose sight of that fortress. Our superiority on the lakes; asks whether the brig the "Duke of Kent" should be repaired and seamen engaged. Encloses Baby's letter and his (Gore's) answer, also one on the same subject to Lt.-Col. Grant. Importance of appearing to defend Amherstburg to inspire confidence; St. Joseph should be reinforced with a few regulars. Considers that could we destroy the American posts of Detroit and Michillimackinac many Indians would declare for us. Agrees that if not for us they will be against us. Thinks two or three thousand of them the utmost to be counted upon; importance of fit persons to manage them; recommends Elliott for charge of the post of Amherstburgh. The inefficiency of the Indians without regular troops. Necessity of having the Indian presents stored here instead of at Lachine. The Prophet seems to be disposed to favour our cause; he is believed to have an influence over about a thousand of his brethren; will try and find out more about him from Elliott. Has had a confidential correspondence with Chief Justice Alcock on the political transactions since his arrival. Page 236

(Enclosures calendared at their respective dates.)

y 5. Annual return of the militia of His Majesty's Province of Upper Canada. 246

(Enclosed in Gore's of 5th July, 1808.)

y 5. Craig to Castlereagh. (No. 8.) Finding the originals of the enclosed returns have been despatched by this communication, he does not scruple, notwithstanding what he has said in No. 7, to forward this by same means. He has discovered that demands for stores from the Ordnance must be forwarded through His Lordship's office; hopes therefore such steps will be taken as will secure these necessary supplies. Found almost all the bayonets here without scabbards. He has had them made here, which incurred greater expense than getting them from home. 8

y 8. Gore to Craig. (Extract.) Has little to remark on Sir John Johnson's letter, except his total lack of information on the subject of McKee's influence over the Indians. Understands from other quarters that influence entirely lost. Intemperate habits of McKee. Advisesthe employment of Elliott. 224

Enclosed. McKee to Prideau Selby. By the enclosed newspapers it appears that the Americans spare nothing to gain the Indians. They leave us daily. Has been obliged to purchase ammunition at his own expense. The dead Indians now amount to 41, and more deaths every day. 225

y 11. Craig to Castlereagh. (No. 7.) His arrival in Quebec. Has assumed the charge with which His Majesty has honoured him, since which little of importance has occurred. State of his health improving. Upon enquiry, finds communication with Halifax not safe enough to warrant writing on subjects where caution is needed. Hopes His Lordship will approve of his abstaining from entering upon any military subjects. Everything in pretty much the same state as when he last wrote. "The utmost good appears to prevail in every part of the province," and though he has not thought necessary to embody the militia, every arrangement is made for calling out and arming a fifth of them at the shortest notice. Camp equipage to be added to the requisition already made. Since last

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letter he has written to Lt.-Gov. Gore and sent an officer to him
letters in which the subject of the co-operation that might be nec
tween the provinces in the event of war with the United States
discussed. The Lt.-Governor has despatched Col. Shawe with
there will be a complete understanding. Has delayed calling
the Provincial Parliament till the 29th inst. From the presen
tion of the public mind he expects cordial co-operation in measu
public benefit. Jails for districts of Quebec and Montreal to b
Fears the £9,000 allotted for each will not be sufficient. The
of auditor of the public accounts vacant by the removal of Mr.
Europe, being important, has after consideration, appointed
D.P.M.G. of the Forces.

January 12, Quebec. Naval officers' returns of vessels entered inwards at Quebec
10th October and 3rd December; and outwards between 13th
and 27th November.

January 12, Quebec. Craig to Castlereagh. (No. 10.) Enclosing copy of the pr
of the Executive Council concerning matters of State between
tember and 16th October last, inclusive.

January 13, Quebec. Same to same. (No. 11.) Enclosing copy ofthe rates of excl
current prices at Quebec for the month of December last.

Enclosed. Prices current.

January 22, Downing St. ——— to Craig. (Draft.) Recent intelligence has rendered it
in the judgment of His Majesty's ministers that the defences
possessions in America should be strengthened. With this vie
ment of 3,000 rank and file will sail for Halifax under the co
Sir G. Prevost. Further reinforcements to be governed by circu
although measures will be taken to support with regular t
Majesty's North American subjects, yet much of the exertio
made by the people themselves. The number of militia conside
sary to be raised and armed, and the method in which it is to
Respecting the rank officers of the militia will take. Not less th
stand of arms will be immediately forwarded and uniforms, to
to the militia, only in case of actual service. Two companies o
will be immediately sent to Halifax and two additional comp
in readiness to proceed to Quebec upon any intelligence whic
dicate an approaching rupture. Camp equipage for 10,000
also be sent. In order to liquidate the extraordinary expenses
of specie will be forwarded. His Majesty relies on the Legis
the respective provinces for making every exertion for th
defence, with their internal resources. The residue His Ma
recommend Parliament to provide. No time to be lost in establi
munication with Sir G. Prevost, so that in case of attack the f
be moved to the proper quarter. A copy of this will be commu
Major General Prevost before his departure in order that he
corresponding steps in Nova Scotia and New Brunswick.

January 23, Quebec. Ryland to Attorney General Sewell, enclosing despatch fro
retary of State and other papers relative to the claims brough
by a deputation of Indians who went to England last year. A
Governor's express orders, they are come down to Quebec. H
them an audience, but told them to lay before him (Sewell) suc
lars as they may wish.

(In Craig's No. 34 of 22nd October.)

February 4, Downing St. Draft of a letter to Sir J. H. Craig. Enclosing copy of a le
Mr. Harrison, stating that £100,000 will be soon forwarded t
and that £102,664 are now at Portsmouth for shipment to No
The Lords of the Treasury desire that general orders be publi
ing that the dollars be issued to the army at 4s. 8d. sterling ea

6, St. Draft of a letter to Sir J. H. Craig. (No. 7.) Transmitting duplicate of letter written to Sir G. Prevost with copy of an additional instruction upon the publication of which if it shall appear to him advisable after his arrival, the civil and military command of the province of New Brunswick will be united under the officer commanding His Majesty's forces in the Province. Page 74

6. Petition of Eleanor Birnie, widow of Arthur Davidson, for an allowance from Government. 78

Enclosed. Recapitulation from the inventory of the estate of the late Mr. Justice Davidson. 80

8. Craig to Castlereagh. (No. 12.) Enclosing printed copies of his speech to the two houses and their addresses. Has great satisfaction in stating that the utmost cordiality and loyalty mark their proceedings. 29

Enclosed. Speech by Sir J. H. Craig to the Provincial Legislature, English. 30

do do do French 36

Address by the Legislative Council to Craig, English. 42

do do French. 50

Address by the Legislative Assembly to Craig, English. 59

do do French. 66

8. Craig to Castlereagh. (No. 13.) Enclosing petition of Marguerite LeMay on behalf of her husband Guillaume Martin, confined as a prisoner of war on the prison ship at Chatham. Recommends the 10, petition. 75

Craig to Gore. (Extract.) Encloses an extract of Mr. Erskine's letter, and a paragraph cut from a newspaper, both relative to the disposition of the Indians. Advices abstaining as far as possible from irritating the public mind in the United States, though preserving the attachment of the Indians. The Council to be held at Amherstburg will simply be laid hold of by the violent party in America. Regrets his (Gore's) doubts of Mr. McKee's influence. Though willing to dismiss McKee, he doubts the propriety of reappointing Elliott. As in the event of employing the Indians, other officers besides in the Indian Department will be required, desires he will be on the lookout for proper persons. 221

Enclosed. Extract of a letter from Erskine. 223

12. Paragraph from the *National Intelligence.* 223

Craig to Castlereagh. (No. 14.) Enclosing petition from the widow of Arthur Davidson, late puisne judge for the District of Montreal. Recommends the petition. 77

24. Same to Edward Cooke. Is anxious to apprise him as soon as possible, for the information of Lord Castlereagh, of the death of the Chief Justice. Forwards this letter by New York; avoids pursuing this subject further at present in case the letters may be intercepted. 89

24. Same to Castlereagh. Reporting the death of Chief Justice Alcock. Recommends Mr. Jonathan Sewell as his successor. 87

John Henry to Ryland. The inhabitants of the northern part of Ver- Vt. mont are much excited by the law passed by Congress prohibiting the transport of American produce into Canada. The clamour is so great that there is danger of an engagement between the officers of Government and the people, on the first effort to stop the introduction of the vast quantity of lumber and produce for the Montreal market. If Jefferson intended only to preserve the commerce of the country from falling into the hands of the belligerent powers, he has already done everything towards that object; but, as that policy does not include the suspension of intercourse with Canada, we may look for the origin of this paltry attempt to deprive our navy of a few masts and spars, in the inveterate hostility of the American Executive and the desire to abet the designs of Buonaparte 113

1808.
March 6, Windsor, Vt. John Henry to Ryland. As the mail leaves for Montreal to-morrow, he will send a summary of what he has learned of the state of the public mind in the northern part of Vermont. The prevalent opinion of well-informed men is that war with England is inevitable. He should have ascribed this to their fears, but the representatives from the several districts in Vermont write to their friends that the majority of Congress are determined, *if forced from their neutrality*, to take part with France, unless Great Britain surrenders the right of search. As this will not be done, they say that if there is a time when concessions can be extorted from Great Britain, it is now. The bold talk publicly of an organized resistance; the timid, who foresee individual distress, would consent to an "armed truce along the borders," or even a union with Great Britain. An alliance with Buonaparte is dreaded, and they seem to value the advantages derived from a state of amity with Great Britain. The general conviction is that the interests of the Northern States are not now regarded and will never again predominate in the Councils of the Nation. General distress prevails. The collector at the frontier has not yet received instructions as to the intercourse with Canada. It is not yet certain that the bill has gone through; but he has not found a man who would tamely submit. Is happy to find that men now speak more rationally of the conquest of Canada and ask where are the arms, amunition, officers, &c., and think it only a project hatched under the influence of a French Minister. They see their own weakness, and infer from the appointment of our Governor General that Great Britain is determined to preserve the Colony. He goes to see what he can save from the bankruptcy of his agent; he has partly overcome his distress by reflecting that it comes from no fault of his own. Page 115

March 8, Quebec. Craig to Castlereagh. (No. 15.) Enclosing copy of an address presented to him by the House of Assembly for the purpose of obtaining a repeal of the Act of 28th of His present Majesty, Chapter 39, stated to be prejudicial to the Provincial Revenue without equivalent advantage to Canada or the Sugar Colonies. The annual difference to the revenue through the operation of this Act, on an average of five years, has been upwards of £2,000. Concurs with the House in recommending a repeal of the Act in question. 90

Enclosed. The Address. 91

March 10, Boston. John Henry to Ryland. Sends a paper containing an account of the failure of Mr. Rose's mission, and his intention of immediately quitting the States. Also a letter from Mr. Pickering, formerly Secretary of State, to the Governor of Massachusetts, on the danger of a war with England. The principal men of Boston express their determination not to be at war with Great Britain so strongly as to indicate resistance. The mob appears to be on their side. Despair is felt both by those who lost everything and by those who have everything to lose, and every secret exertion is being made to rouse the people from the lethargy which must end in their subjection to the modern Attila. Fears the mass of the people will awake in the chains of the Corsican. 11

March 10, Quebec. Craig to Gore. (Extract.) Has consulted Sir John Johnson as to a proper person to succeed McKee. He points out no one but Elliott, and Mr. Johnson, who, under present circumstances, it is impossible to appoint. 92

March 18, Boston. John Henry to Ryland. Has received from England a copy of the King's Speech. His Majesty refuses to concede any point to the American Government in connection with the "Chesapeake." It now remains with Great Britain whether or not there will be a war, as the American Government has pushed coercive measures as far as possible. It only remains for England to commit such an act of violence as will deprive

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the Americans of every excuse for resistance to the measures of that Government. Until this happens, Jefferson will continue his present irritating system. Thinks that in a few months the New England States will be ready to withdraw from the Confederacy, establish a separate Government and adopt a policy congenial to their interests. The men of property and of talent are not ready, until sure of an efficient remedy. The Commander of the "Chesapeake" is acquitted; he justified himself by orders "not to resist." The conclusion is inevitable. The captain of a ship in from a French port states that two American vessels were condemned on the charge of being boarded by a British ship of war; they were confiscated. His pecuniary losses. Page 121

h 25, restburg. Proceedings of a private meeting held between Col. Claus and the Shawenese. 255

(In Craig's No. 25 of 15th July.)

2. Gore to Craig. (Extract.) Feels difficulty in conducting the Indian Department. The general idea is that Mr. Elliott is the only man capable of calling forth the energies of the Indians. Col. Claus is decidedly of this opinion. Has ordered the Deputy Superintendent General of Indian Affairs to reside at Amherstburg till further orders. The late arrival of stores at St. Joseph's necessitated the Indians leaving for their wintering grounds without their usual presents, which can be avoided in future by having a second year's supply in store. 227

5, ec. Craig to Castlereagh. (No. 16.) Enclosing memorial from Henry Reid (Read) convicted of having enticed a soldier to desert; he was fined £40. As this man has been in jail twelve months through inability to pay, he has ordered his release, and the suspension of the fine till His Majesty's pleasure be known. Recommends the memorial. 98

Enclosed. The memorial. 100

Sentence passed on Henry Reid or Read. 102

6, ec. Same to same. (No. 17.) Accounts received from Washington of the failure of Mr. Rose's mission, have induced him to accede to the offer of the inhabitants of Glengarry to raise a corps of Fencibles of 500 rank and file. Cannot enclose any details yet, except that they can be disembodied at any time and are to be clothed every year while embodied. They claim the privilege of wearing the Highland dress. Proposes to appoint Lt.-Col. Æneas Shaw as Lt.-Colonel commandant. 104

6, ec. Same to same. (No. 18.) For reasons stated before, declines entering into particular details of our situation. Everything perfectly quiet. The Deputy Commissary General has received information that the Treasury intends to send $100,000. However acceptable, it is quite inadequate in case of hostilities. State of the money market. Proposes closing the Provincial Parliament in a few days. The proceedings have been very temperate. Among the Acts passed is one for raising £7,000 for repairing Chateau St. Louis, which is much needed, as he is now living in a private house, the Chateau being uninhabitable. 105

l 8, York. Gore to Craig. Encloses copy of proceedings of a private meeting held at Amherstburg with the Shawenese. This nation is said to have great influence. Col. Elliott is to send them a message when their services are required; their attachment to Elliott. 228

l 10, ec. Craig to Castlereagh. (Private.) Enclosing four letters which may convey useful information on the subject of the disposition of the Eastern States of America. Hazards the packet by the Halifax mail. The communication with Vermont continues, in spite of the act prohibiting it. Mr. Henry is a gentleman of ability; he resided for some time in the States and is well acquainted with some of the leading people in Boston. At present he lives in Montreal, and has not the most distant idea that his correspondence is being made use of. 111

1808.
April 14. Montreal. John Henry to Ryland. Has returned from the States and is possessed of information not to be obtained from newspapers. In the present state of affairs every man should furnish all the information and aid in his power. Beginning with Boston, only men of large fortunes can subsist there. Personal exertion has ceased to bring its reward, and the commercial cities present a dreadful spectacle of distress, despair and that abandonment of principle which grows out of poverty. Measures to remedy this have not been resorted to, as only within the last few weeks could the co-operation of the mob be counted on. However, as the feeling is now unanimous, spirited measures will soon be taken. Measures discussed at a private meeting in Boston. The general feeling against war. Believes in that case the Northern district would negotiate with the Governor of Lower Canada and claim his protection. From everything heard, he infers border states would detach themselves from the Union and each consult its own safety. To accomplish this important object, Great Britain must use and address conciliation towards the friendly states. Conversation with Capt. Dunham, commanding Michillimackinac, who spent the winter at Washington, and on his return has been instructed to expect war. He (Dunham) says that when the Kings address reached Washington all agreed that war was inevitable, and that the delay was in waiting for the India ships, and that the majority of Congress will risk everything to protect American citizens in public and private vessels. Report that Mr. Rose has sailed and a vessel been sent to England for Mr. Pinkey. The report not yet confirmed. Page 150

April 20. Amherstburg. Wm. Claus to Gore. (Extract.) Assures him of his zeal in the service. As his opinion has been asked on the prospect of Indian assistance states that from the best information he can collect, the fighting men on the borders of the Miamis, east borders of Lake Michigan and the interior between these waters do not exceed 1,500, and in the present state of this post, without any garrison to back them, they will be very backward. If there was an adequate force here, a sufficient number might be brought together to keep our ground till the Indians on the Mississippi could be brought forward. Messages sent to the Nations west of Lake Michigan last October. Constant reports of their being on their way have prevented his sending again, but he shall now lose no time in despatching a confidential person. Suggests that a message would reach St. Joseph's much sooner from York by Matchedash. Cannot sufficiently thank Mr. Elliott for his voluntary services. 233

April 25. Quebec. Louis Foy to Ryland. Was appointed in 1806, deputy agent for the distribution of hemp seed to those willing to engage in its cultivation, to pay for the experiments, ship the hemp addressed to him, and to take charge of the store at Quebec. Desires compensation for the experiments made on his own land. Offers himself as cultivator for the district of Quebec; if it is incompatible with his present situation he will relinquish it for the new office. His object is to raise good seed. 1[illegible]

April 25. Montreal. John Henry to same. Omitted to mention in his last that individuals are selected in the several towns on the seaboard and throughout the country to correspond and act in concert with the committee at Boston to avert a French alliance. Benefits of an organized plan over individual efforts. This confederacy will soon be strong enough to appeal for England's friendship. No laws in the United States to prevent this as "constructive treason" is unknown in their criminal code. The paper from Burlington, which he (Henry) led him to expect by his last letter, is received. He is disappointed in not finding it more determined in tone; still, it is a sign of the union of those who before disagreed in everything political, and an assurance of co-operation with Canada in case of war. The accession of the Northern part of Vermont and the command of Lake Champlain would be a barrier to any inroad by the asun[illegible]

route. Vermont is well fortified by nature and can easily be defended by militia against the United States army. The road from Burlington to Connecticut River is over mountains and through defiles. Sends latest Boston Repertory. The election of a governor in Massachusetts is unfavourable to the Federals. Page 154

Enclosed. Recapitulation of the United States troops and their distribution. 157

Craig to Castlereagh. (No. 19.) Transmits *Quebec Gazette* containing speech made on closing the session, also a list of Acts presented for the Royal assent, one only of which—that relating to jails in Gaspé—is reserved till His Majesty's pleasure be known. Recommends the bill. He dissolved the Legislature soon after the session closed. Has issued writs for the election of a new House of Assembly. Exemplifications preparing; when he transmits them he will submit remarks on any that require particular attention, and also when completed he will forward printed copies of the whole, together with the journals of both Houses. 123

Enclosed. Acts. English. 125
French. 137

Same to same. (Private.) Though Mr. Rose will have furnished all particulars on the state of the country, yet encloses two more letters written by Mr. Henry after his return to Montreal. His (Henry's) account of the disposition of the people of Vermont verified in so far as relates to the embargo. Rafts have actually arrived at St. Johns in defiance of a vessel placed under the direction of the customs officers. A struggle was feared, but avoided, on the raftsmen declaring their determination to go on, and the boatmen declining to interfere. Although stationed close to the line he has avoided taking any notice of it, to prevent any event which might occur being ascribed to interference on our part. If any affray takes place, he will immediately advance a post to our side of the line with instructions not to interfere beyond the boundary, but to give protection to either party on our side and at least to preserve his Majesty's territory from violation. Will take care to have this post under a reliable officer. 148

Same to same. (No. 20.) Enclosing letter from Mr. Foy, of the Storekeeper General's Department, which explains itself. Did not feel authorized to give any answer. Refers it to him (Castlereagh), but had induced Foy to proceed in the business—the culture of hemp. Is assured of the importance of this object; hitherto it has not received proper encouragement, and has been confined to a few. Has been urged to increase the price, but does not feel warranted without further instructions. Mr. Greece, stationed near Montreal, seems industrious, but Mr. Campbell, in Three Rivers, is too fond of speculation, he has not fulfilled his engagements in this cultivation, though frequently applying for funds. He claims £500 which he claims was promised by the Government in England. 159

Draft of letter to Craig. (Secret and confidential.) Acquaints him that a communication has been made to His Majesty's Minister for Foreign Affairs by Mr. Pinckney, stating that he has received information from Paris that the demand made by the United States that France should revoke or soften her decree of blockade against Great Britain had been refused by Buonaparte; in consequence thereof he had nothing to communicate to the Court of London. This information diminishes the probability of a rupture with the American States though it does not avoid the necessity of precaution and preparation. 165

Craig to Gore. (Extract.) The irritation between the Indians and the Americans gives good grounds to expect that they could not easily be persuaded to take part against us. Attention on our part would easily secure them. Probability of the appearance of the French in some part

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of the province likely to be either in Orleans or Florida. In the event of their appearance we must use our strongest measures to attach the Indians to us by ties sufficiently strong to resist this persevering foe. After serious consideration withdraws his objection to Elliott succeeding McKee: the latter must be removed from Amherstburg; he might be ordered down to York. Recommends the continuance of his present pay. Has engaged a Mr. Cadotte with the view of replacing the interpreter at St. Joseph's. Col. Claus and Mr. Elliott are to be informed of the importance of securing the Indians. Recommends that their attachment be

May 12, Quebec. secured without any allusion to possible hostilities. Page 229

Craig to Castlereagh. (No. 22.) Has stated in his despatch No. 7, his reasons for not entering before into any detail of the military situation of the province. The first safe opportunity now offers by H. M. frigate "Nemesis." As a fortress Quebec is very deficient in almost every point of view; gives details of the deficiences. Account of the works which he is carrying on to remedy some of the defects without which he does not consider the work tenable for four days. What works he considers necessary. 176

Enclosed. Lt.-Col. Bruyere's report and estimate of the expense needed to improve and increase the works of fortification, and to build

May 12. additional barracks, magazines and storehouses at Quebec. 189

Gore to Craig. (Extract.) Encloses extract of letter from the Deputy Superintendent at Amherstburg. 223

May 13, Quebec. (Enclosure calendared at its proper date.)

Craig to Hon. D. M. Erskine. His two letters, forwarded by Mr. Gillespie, received. That gentleman's success at Washington has relieved the apprehensions of the North-west Company. The failure of Mr. Rose's mission to be regretted. Has no doubt but that the good sense of the Americans must prevail, and the *sort of hostile array* in which the two countries have been set against each other end in closer ties of connection than have existed since the separation. Will use every endeavour to avoid irritating our neighbours. Irregularity in the Indian Department. Any change there will excite suspicion. The condition of affairs both in this country and Europe seems to point to the appearance of the French on this theatre. Buonaparte never loses sight of an object on which he has once fixed his attention. This colony should in sound policy be the object of his first attempt. He would find a healthy climate, plenty of provisions, a not unfriendly people, who would at least furnish him in the future with great resources of men and a good stand from which to coerce the Americans. The imminent risk of the loss of the naval force he (Buonaparte) would have to employ, and the proximity of the Spanish settlements lead me rather to expect their first appearance to the southward, either New Orleans or the Floridas. From that moment we must expect every effort the ingenuity of man can devise to detach the Indians from their allegiance to us and induce them to fall upon our defenceless frontier of Upper Canada. With the view of binding the Indians more closely, he has given directions that the officers of the Department be particularly attentive in all points and has also recommended that intercourse be opened with the most distant nations, with whom little communication has lately been had. Has added two officers to that Department. The instructions given particularly point out his desire that all means pursued should be such as are of general conciliation and attachment, without allusion to possible hostilities. Is well aware that suspicion will be awakened, but adopts these measures to prevent the Indians from reporting that he was trying to instigate them against the States. Complaints on this head probable. Disposition of the people of Vermont and Northern New York to resist the embargo, particularly respecting the supply to our merchants here

of timber and lumber. Believes though some are actuated by views of future profit, the greater number wish to discharge by the only method open to them, their obligations to our merchants, from whom they had received large advances in money before the law passed. Some rafts have arrived; both Canadians and Americans were conducting them. Some of the former were put in jail; they will receive no protection from this Government. Mr. Woolsey, Collector of Champlain District, wrote to the judges of Montreal on this subject. Page 261

(In Craig's No. 25 of 15 July.)

Craig to Castlereagh. (No. 21.) Has investigated the subject of the raising of the Glengarry Fencibles and finds that their zeal exceeds their ability; finds it impossible to raise nearly the number proposed in a reasonable time; therefore, he recalled the letter of service issued to them. Lt.-Col. Shawe is exempt from any little blame; as, though so generally recommended, yet he had not been communicated with and was ignorant of the proposed appointment and, in short, wished to decline it. 166

Same to Edward Cooke. Major Armstrong arrived about three weeks ago. He had been detained by illness between New York and Albany. He (Craig) has had several unimportant letters from him. He represents that the money advanced was not sufficient for his journey; recommends that he be reimbursed what he has borrowed ($200), but does not recommend the repayment of £80 drawn for without directions. Asks for a speedy answer. 168

Draft of letter to Craig. Transmits an Order in Council confirming an Act authorizing the formation of the Quebec Benevolent Society. The sixteen following Acts have been considered, and do not seem liable to objection:—

1st. Respecting the regulation of trade.

2nd. The better preservation of His Majesty's Government.

3rd. The more effectual regulation of police.

4th. Empowering the Justices of the Peace to make regulations for the government of apprentices and others.

5th. Regulating provincial post houses.

6th. Repealing certain laws respecting the terms of the Court of King's Bench in Three Rivers.

7th. For building a new market house in Montreal.

8th. For completing the market house in Quebec.

9th. For preventing the desertion of seamen.

10th. For the better regulation of pilots and shipping in the ports of Quebec and Montreal and improving the navigation of the St. Lawrence.

11th. Respecting aliens and certain of His Majesty's subjects who have resided in France.

12th. For the recovery of small debts.

13th. For the nomination and appointment of inspectors and constables.

14th. For the better regulation of the fisheries in Gaspé.

15th. For granting to Jean-Baptiste Bedard the exclusive right of erecting bridges in the Province.

16th. For the providing of returning officers for the election of knights, citizens and burgesses to serve in the House of Assembly. 170

Enclosed. The Act respecting the Quebec Benevolent Society. 174

Draft of letter to Sir J. H. Craig. (No. 9.) Despatches received. Although no definite settlement with the States has yet taken place, yet as hostilities appear improbable, he has not ordered the additional camp equipage for 2,500 men to be sent out to him, nor the canteens, &c., required in his letter No. 7, but a large proportion of the ordnance stores required in No. 8 have been forwarded. In case of rupture he will take

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care to have other articles required forwarded. Has considered the memorials of Mrs. LeMaistre and Mrs. Davidson. Disapproves of pensions, but His Majesty approves of grants of land to the petitioners. Mrs. Martin's case transmitted to the Admiralty. Respecting the lease

June 8. of the forges at St. Maurice. Page 84

Gore to Craig. (Extract.) Thinks it would contribute to the interests of His Majesty's service if he (Craig) should meet the Indians himself at Amherstburg. They appear to expect it. He is to be very guarded in his

June 14, Quebec. speech so as not to give offence to the Americans. 234

Ryland to Joseph Plante. Dismissing him from his office on account of his share in the publication of a seditious paper. 313

June 14, Quebec. (In Craig's No. 29 of 5th August.)

Same to Panet, Taschereau, Bedard, Borgia and Blanchet, dismissing them from their positions in the militia. 316

June 14, Quebec. (In Craig's No. 29 of 5th August.)

Same to Hon. G. E. Taschereau. Desiring that his son, J. T. Taschereau be no longer employed as his (Taschereau's) deputy. 314

June 22, Quebec. (In Craig's No. 29 of 5th August.)

Attorney General Sewell's report on the claims of the Indians of the Lake of Two Mountains. 386

June 22, Quebec. (In Craig's No. 34 of 22nd October.)

Attorney General Sewell's report on the claims of the Indians of the village of Caughnawaga. 368

July 7, Downing St. (In Craig's No. 34 of 22nd October.)

Draft of letter to Sir J. H. Craig. (No. 10.) Despatches Nos. 17 and 18 received. Information gives reasonable ground to believe that hostilities will be avoided. Trusts therefore that the specie remitted will meet all demands. If affairs should take another turn he will provide the supply necessary. Directions given to Sir G. Prevost to keep his force in readiness. The secret intelligence transmitted by him (Craig) appears to come from a person of good information and discretion and he deserves encouragement. Under existing circumstances, the failure to raise the Glengarry Fencibles is less to be regretted. The reduction of the fine imposed upon Reid will be approved, also the jail bill for Gaspé, and the extending of the encouragement proposed to Mr. Foy. Letter on the contract price for hemp has been transmitted to the Admiralty and he will forward their Lordships' sentiments upon the subject as soon as possible. The questions submitted as to the repeal of the 28th of His

July 15 Quebec. Present Majesty C. 29 has been referred to the Committee of Trade and Plantations. 109

Craig to Castlereagh. (No. 23.) Encloses exemplifications of the several Acts passed in the last session of the Provincial Legislature. Also copy of an Act respecting the erection of two jails in the District of Gaspé. Recommends their erection. Assents to the Act for applying a further sum towards the completing a jail in the District of Quebec. Owing to some irregularity a similar bill respecting the jail at Montreal did not pass. The only remaining acts of last session requiring attention are: "An Act to declare in whom is vested the power of granting *Lettres de Terrier* in this province;" and the "Act to continue for a limited time the Act of the 43rd of His Majesty respecting the militia." Discusses these Acts. The grant for the repair of Government House to be levied on the country and not on trade. Returns having been made to the several writs for members of the House of Assembly, there will be no

July 15, Quebec. obstacle to the meeting when found necessary. 195

Schedule of the Acts. 200

Same to same. (No. 24.) Enclosing copy of proceedings of the Executive Council on matters of State between 16th October, 1807, and 13th

July 15, Quebec. *June*, 1808. 201

Craig to Castlereagh (No.25.) The Indian Department has claimed much of his attention. The improbability of its ever becoming useful again had led the Government to use the utmost economy in its management, which caused many of the Indians to turn towards America, where fortunately the system of gratifying these people is not much in vogue; though of little use as friends we must prevent them becoming enemies. In the event of hostilities they will be surely one or the other. Has endeavoured to secure them to the interests of Great Britain. Encloses the correspondence with Lt.-Gov. Gore on the subject. Has readmitted Mr. Elliott into the service as the first means for conciliating the Indians; his influence over them. The general opinion is that the charge on which he was dismissed was groundless. Dismissal of McKee; recommends his receiving a pension. Perfect harmony exists between himself and Lt.-Gov. Gore. Suggests that the Indian Department be again placed under military command. His reasons. Page 202

(Enclosures calendared at their respective dates.)

Craig to Castlereagh. (Private.) Acknowledges two letters by Lt.-Col. French and Mr. Caldwell; shall have great pleasure in obeying his commands by showing them every attention. The impossibility of keeping Col. French at Quebec. Has sent him to Montreal, as good a station as Quebec in the opinion of many. His (French's) difficulty in procuring a house there. 267

Same to Cooke. (Private.) Sends to Lord Castlereagh by the same opportunity a long letter relative to the works undertaken here, also the estimates and a plan. The importance of holding this spot. The French will be here sooner or later; they will perhaps begin to the southward, but will certainly reach here. Had begun another long letter on the subject of the militia, must defer it till next vessel. Has unwavering faith in the attention of *Jonathan* to his own interests, which means peace. Jefferson, who certainly meant war, lost his opportunity. Believes he laid a trap for Berkley, but wanted spirit to pursue the point; he is naturally timid. Now the insolence of Buonaparte is fighting the battle for us, the scale is already turned. Our intercourse by the lakes so far suffers little from the embargo. Has applied to Greenwood for the £600 allowed to all governors under the name of picture money, without success; thinks himself entitled to it. State of his health. 268

Same to Castlereagh. (No. 26.) Transmits certified copy of the rates of exchange of current prices here for the last six months.. 271

Enclosed. Monthly current prices in Quebec from January to June, inclusive. 272 to 289

Same to same. (No. 26.) Transmits certified copy of the rates of exchange and current prices here for July. 290

Enclosed. Current prices in Quebec for the month of July. 291

Same to same. (No. 27.) Enclosing naval officers' returns of vessels cleared outwards and inwards at the port of Quebec between 5th January and 5th July, 1808. 294

Same to same. (No. 28.) The "Amelia," with her convoy arrived, but none of the store ships, nor any of the articles promised in the despatch of 22nd January, for the use of the militia, which the same despatch instructed him to embody. Without these articles it is impossible to assemble them even for exercise. No buildings in the country capable of housing them, and camping is too expensive. The militia have been hitherto only contemplated in theory, except in the town of Quebec. Lord Dorchester could not assemble any in 1775, and in the following year he (Craig) commanded the largest body ever brought together, but was then in pursuit of a flying enemy. Since then no attempt to assemble them has been made. The Canadians of to-day not warlike; they like to make a boast of the militia service, but all dis-

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like the subordination and constraint. If the seigneurs possessed their old influence it might be different; lawyers and notaries appear now to have sprung into notice, and with them insubordination. The members returned to the new House consist of fifteen lawyers, fourteen farmers and only seven seigneurs. The lawyers form a very powerful party in the House, always together, and they think by opposing the views of Government to force themselves into office. The militia is their *stalking horse*, and the preserving the people from the degradation of being soldiers their theme of merit. Danger and difficulty of attempting to enforce the militia system. In the event of having to contend with a French force, no help is to be expected from this province; on the contrary, arms in their hands would be dangerous. They are French at heart yet; though not denying the advantages they enjoy, still there would not be fifty dissentient voices if the proposition was made of their reannexation to France. The general opinion here among the English is that they would even join the Americans if that force was commanded by a French officer. Is persuaded the trouble and expense just now would be useless. By our law those trained now would not be those he could call on in case of attack. In the event of hostilities apprehension might make them more tractable. By the present law he is empowered to keep the militia together for not more than twelve months, and in the present situation of America it would require more than half that period to complete the preparations necessary for attacking us. In that time we could discipline our force and be sure they would be brought into use. Embarrassment on the score of rank; there are twenty-seven colonels and more lieut.-colonels and majors all tenacious of their rank. In the Upper Province there are Lord Lieutenants of counties who are empowered of themselves to call out the militia without recourse to the authority of the Governor. Their proximity to the American frontier might furnish them with motives for so doing. Has only confirmed the rank given to Lieut.-Colonels in Upper Canada. Page 295

August 5, Quebec. Craig to Castlereagh. (No. 29.) In his letter on the militia, has alluded to the strong party at present in the House. They try by an idle clamour to intimidate the Government, and believe they will be put into office for the purpose of silencing them. A newspaper, *Le Canadien*, has been publishing articles calculated to create dissatisfaction among His Majesty's subjects. During the late elections it was more excusable, but upon enquiry, he finds the persons who were leaders of the party alluded to, bore characters which warranted the attributing to them the worst intentions. Great pains have been taken to circulate the paper in all parts of the province gratis. Its increasing malignity led him to intimate to those concerned in its publication that they would certainly fail in their design of intimidating Government into compliance with their views of personal interest. Two of the supporters of this paper, viz., Mr. Plante and Mr. J. T. Tachereau, held positions under government; he has dismissed them by letters, copies of which are enclosed. On Mr. Plante's stating that he had all along disapproved of the paper, has reinstated him. Mr. Panet, a lawyer, is the ostensible head of the party; suspects him to be the tool of others. Mr. Blanchet is a doctor; his character. Mr. Bedard and Mr. Borgia are lawyers, the former said to be the principal contributor and the most dangerous of the set. Has dismissed those with commissions from the militia. Copy of dismissal enclosed. The influence of the Canadian party strong in the House would not be surprised if some resolution was adopted which would necessitate his dissolving it. 30

(Enclosures calendared at their respective dates.)

August 6, *Downing St.* Draft of a letter to Craig. Letters received and laid before the King. *Encloses* letter from Sir Stephen Cottrell in answer to No. 20, on the *cultivation* of hemp. Also one enclosed from the Treasury with pa

ticulars of articles shipped for Quebec, which His Majesty has been pleased to order for the use of the Metropolitan Church. Page 164

15, Craig to Castlereagh. (Separate.) Deficiency in the number of members composing the Legislative Council; it should consist of fifteen, but at present there are only twelve. Their names. The first vacancy caused by the death of Chief Justice Alcock. Takes it for granted his successor, when appointed, will fill it. For the other vacancies recommends John Richardson and Charles de St. Ours. In order to avoid such inconvenience in future, proposes that two additional members be appointed; recommends John Hale, Deputy Paymaster General, and Antoine J. Duschesnay. Early attention to this subject necessary. Mr. Craigie superseded as Deputy Commissary General, causes a vacancy in the Executive Council. Recommends Monsr. Louis de Salaberry. Requests that Mr. James Irvine be also appointed. 318

Craig to Edward Cooke. Letter of 4th June received, also warrants necessary for appointing Sewell as Chief Justice. Has delayed sending them that he (Sewell) may continue for a short time in his present office, till he can be replaced. Two persons, Mr. Greece and Mr. Campbell, have been sent here to instruct the people in the culture of hemp. The former is industrious, doing his best; the latter idle. Apprehension of hostilities subsiding. Private accounts all concur in saying that so far a war depends upon the effort of Mr. Jefferson. A letter this morning from a private gentleman intimates that even the suspicion of a rupture has vanished and no exertion on the part of Jefferson could now bring on hostilities. The embargo still a source of distress. He and the Bishop are in a sad state for want of houses. Anxiety about the accounts from Spain. 322

Same to Castlereagh. (No. 30.) Transmits copy of the rates of exchange and current prices for the month of August. 326

Enclosed. Prices current at Quebec for the month of August. 327

Same to Edward Cooke. Letter by Mr. Young received. Does not quite approve of Mr. Young receiving the salary as Master of the Trinity House. His treatment of his creditors &c., much talked of here. As a member of the Executive Council, he is entitled to a grant of land. 332

Same to Castlereagh. (No. 31.) Enclosing list of such half-pay officers on the Army Establishment in this province as have returned their names during the last twelve months, together with a list of magistrates specially appointed to administer the oaths to officers of this description. 234

Enclosed. List of officers. 335

List of Magistrates. 336

Craig to Castlereagh. (No. 32.) Mr. Sewell took the necessary oaths as Chief Justice and a member of the Executive Council. The office of Attorney General is thus left vacant; it is a very difficult place to fill at this crisis. After much deliberation recommends Mr. Sewell, brother to the Chief Justice, or Mr. Bowen, as best fitted for the post. Has given the latter a commission while waiting His Majesty's pleasure, as it was not expedient to allow the office to remain vacant. Has named Mr. Oliver Perault as His Majesty's advocate, which position was left vacant also by Mr. Sewell's appointment; it is almost a sinecure. 337

Report of a committee of the whole Council on the claims of the Indians of Caughnawaga and of the Lake of Two Mountains. 371

(In Craig's No. 34 of 22nd October.)

Craig to Castlereagh. (No. 33.) Enclosing certified copy of the rates of exchange and current prices at Quebec for the month of September last. 342

Enclosed. Current prices at Quebec for September. 341

1808. October 22, Quebec. Craig to Castlereagh. (No. 34.) Has caused an investigation to be made into the complaints of the Indians. Encloses correspondence on the subject, viz.:—

1. Ryland to Johnson, 16th November 1807.
2. Johnson to Ryland, 28th December, 1807.
3. Speech by Johnson to the Indians, 22nd December, 1808.
4. Proceedings in Council with the Indians, 23rd December, 1807.
5. Letter of reference to the Attorney General, 23rd January, 1808.
6. Attorney General's report on the Indian claims of the Indians of the Lake of Two Mountains.
6. Ditto of the Indians of Caughnawaga.
8. Report of a committee of the whole Council on the above. Page 345

(Enclosures calendared at their respective dates.)

October 24, Quebec. Same to Castlereagh. (No. 35.) Despatches received. The only particular answers required are to No. 9, relative to the Forges of St. Maurice and Nos. 10 and 12 relative to the culture of hemp. Has hitherto declined signing the lease of the Forges to Monroe and Bell, who however, retain them; it appears advisable to see if they will not accept the lease on more reasonable terms for the province. In consequence of the detailed statement sent he awaited instructions thereon. Has not assembled the Council for some time owing to the vacancy in the office of Chief Justice and the absence of several members. These objections now removed. The unsatisfactory reports of the hemp culture. 372

October 26, Quebec. Same to Castlereagh. (No. 36.) Enclosing printed copies of the Journal of the House of Assembly of Lower Canada during the last sitting. 373

November 23, Downing St. ——— to Craig. Despatches Nos. 26 to 30 inclusive, and one of 15th September, marked separate, laid before the King. The decreasing probability of hostilities, and the necessity of supporting the Spaniards prevented the militia supplies being sent out. His (Craig's) letters on the subject of the militia are clear and satisfactory. His Majesty approves of the persons concerned in the publications of seditious newspapers being removed from office. 330

December 28, Quebec. Craig to Gore. (Extract.) In letter of 6th December he has entered pretty fully into his ideas on the subject of the Indians. Nothing since has altered his opinions. Repeats that they must be either for or against us. By a letter from Mr. Baby, it appears there are greater difficulties than at first supposed in the way of obtaining their co-operation. Thinks our power to withdraw all supplies should act powerfully on them. The Indian Department must be active and vigilant and keep these topics before them. 219

Governor Craig and Miscellaneous—1808.

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1805. January 3, Downing St. Earl Camden to the Bishop of Quebec. Will recommend to his Majesty that he be granted leave of absence to return to England. Shall then be ready to converse with him upon the topics touched on in his letter. Gives no encouragement that he will recommend that he be allowed to divest himself of his diocese. 148

1806. January 15, Quebec. Wm. Lane to Lt.-Col. Green. Transmitting remarks on the Indian Store accounts to be laid before Col. Bowes. 188

Enclosed. Extract from the instructions to Sir John Johnson respecting the store keeper's accounts. 189

7. A paper on the Church establishment in the Canadas. (Extract from minutes of Council respecting parishes.) Page 150
Enclosed. Observations on the same. 157
Memos. on the Bishop of Quebec's papers. 168, 173, 174
24. Wm. Lane to Col. Brock. Enclosing copy of letter to the military secretary with copies of his remarks on the Indian Store accounts, particularly on those of the Island of St. Joseph. 187
Same to same. The remarks on the Indian Store accounts which he had submitted to Col. Bowes have been returned. Submits some observations on them. 191
Same to George Harrison. Transmitting copy of his report to Col. Bowes, also copies of two others made to Col. Brock on the Indian Store accounts. 186
George Harrison to Edward Cooke. Transmitting letter from Craig with a requisition for stationery for the use of the Indian Department in Lower Canada. 92
Same to same. Transmitting letter from Craig with a requisition for Indian Stores with presents for the Indians in Lower Canada, for the year 1809. 93
Same to same. Transmitting letter from Craig with proposed establishment for the Indian Department in Upper Canada and list of persons holding temporary appointments and pensions for the year 1808. 94
Same to same. Transmitting letter from Craig with report of a board of survey held at Lachine on Indian Stores imported in the bark "Industry." 95
0. Sir Robert S. Milnes to same. (Private.) Stating that Sir James Craig has "clipped off a part of the savings" allowed him by Lord Castlereagh. Asking that the money still be given him. 96
1. John Black to same. Learns that probably the Secretary of State has been informed that he has received a very large portion of the waste lands of the Crown in Canada. Encloses memorial to Lord Castlereagh and states that he has only been granted 1,200 acres in common with other associates in Dorset. 97
Enclosed. Memorial, asking that the Forges at St. Maurice be leased to him for twenty years at £1,000 per annum. 99
30. Bishop of Quebec (Anglican) to ———. By reference to his letter of 24 October, 1804, he will see that the change in salary made the maintenance of his position then in the Province an impossibility, and it is much more so now the necessity for augmenting the ministers' salaries being so urgent. All the clergy are deeply interested in the decision of the Ministers, respecting the Establishment of the Church of England and the restrictions placed upon the present system of Roman Church Government. The Canadian Catholics have long expected the first and can raise no particular objection. Is confident no real difficulty has ever existed to prevent this establishment. The dislike of the Canadian Catholics to the Bostonois (as they call the Americans) and dread of a union with the States would prevent them from withdrawing in the least from English rule, therefore the second part of the question would cause no trouble. After the encouragement held out to him in Lord Camden's letter (extract enclosed) and after what has since passed, he did not expect to have to return without having found relief for his people, clergy and himself, a bishop without jurisdiction to a church without establishment. Begs to have the matter of this letter conveyed to Lord Castlereagh and requests to be informed whether the intimation to return to Canada is imperative. 103
31. John Black to Edward Cooke. Had submitted on the 18th inst., copy of letter of credit for £1,200 to enable him to carry on the hoped for lease

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of the Forges of St. Maurice. If not adequate, a note from him (Cooke) will be immediately attended to. Page 119

March 8, Quebec. Craig to Erskine. Encloses memorial from the merchants of Montreal. Understands one on the same subject was forwarded by Mr. President Dunn last April. The effect of the non-importation and embargo Acts on this trade. As this despatch will be delivered by Mr. Gillespie, who is fully informed and a trader himself, everything necessary can be learned from him. 16

(In Craig's No. 37 of 29th October.)

March 15. Alexander Lennox to Edward Cooke. Had the honour to write on the 24th ult., requesting he would move Lord Castlereagh in behalf of the widow of Colonel La Corne St. Luc, who spent most of his fortune in the service of Government. She is now in great distress. Mr. Stuart has the memorial copy of Col. St. Luc's commission, to which reference can be made. 111

March 18, Treasury Chambers. George Harrison to same. Has laid before the Treasury a letter from Mr. Taylor, requesting to be furnished with the reports or minutes of the Executive Council on the accounts of Henry Caldwell as Receiver General of Lower Canada, from 11th October, 1799, to 11th October, 1805. Is therefore commanded by their Lordships to move Lord Castlereagh to give directions that the said reports be transmitted to this Board to be communicated to the Commissioners of Audit. 112

March 27. John Young to same. Requesting that the enclosed memorial be presented to Lord Castlereagh. Hopes his Lordship will take up his case. 114

Enclosed. Memorial to Lord Castlereagh asking for lands and a salary as master of the Trinity House of Quebec. 115

Copy of a memorial to Sir Robert Shore Milnes, dated 31st July, 1805, on the same subject. 117

March 29, Whitehall. W. Fawkener to ——— The Lords of the Committee of Council for Trade and Foreign Plantations, having had under consideration several acts passed by the Legislature for Lower Canada, have reported to His Majesty that the Act (No. 163) for the incorporation of an association under the name of the Quebec Benevolent Society is proper for His Majesty's Royal confirmation. As it does not appear necessary to submit the other Acts, returns them. 211

March 29. Bishop (Anglican) of Quebec to ———. Offers his assistance in any measures for the benefit of the Protestant Church in Canada. Thinks some augmentation of the salaries of the ministers of York, Kingston, Quebec, Montreal, and William Henry is necessary. The clergy living in the country have many advantages over those in towns, as rent and the expenses of living are much lighter. Wishes it to be considered that the present practice of issuing marriage licenses by a lay surrogate is productive of ill consequences; objections are, however, made to the power being vested in the Bishop. As the Catholic Bishop exercises the power it does not seem equitable to withhold it from the Anglican. The whole annual profit does not exceed £40 or £50. Wishes to change the title of his commissaries, thinks archdeacon a better title, as there are so many military commissaries in his diocese. 123

March 30, Treasury Chambers. W. Huskisson to Cooke. Is commanded by His Majesty's Treasury to request he will move Lord Castlereagh to have transmitted an account of all pensions chargeable upon the Civil Establishment and the grounds upon which they are granted. 126

April 2. John Black to same. Trusts his petition is on the eve of being decided upon. Asks that he be appointed agent for the Seigniory of Sorel. 127

April 14. Bishop (Anglican) of Quebec to ——— As the convoy sails for Quebec on the 25th inst., he will understand it is important he should carry back the final determination of Government upon all points to which there appeared no objection. 128

808.
14. John Black to Cooke. Asks that while his petition is being considered he be granted some situation. Page 129

23. J. Nicholl to Lord Castlereagh. Transmits copy of the patent appointing the Bishop of Quebec, also set of queries respecting the powers of said patent. 130

Enclosed. Patent. 131

Queries. 142

28. Bishop (Anglican) of Quebec to ——— Asking for £4,000 to complete the building of a church at Quebec. 176

29. Same to ——— Grateful thanks for the extra allowances which His Majesty has granted to certain clergymen and to himself in lieu of a see house. Will report on any houses which appear proper as a bishop's residence on his return to Quebec. 178

29. Same to ——— Lord Castlereagh's letter received; notices no mention is made of the erection of parishes. Presumes that is settled in the Instructions to the Governor; hopes the subject of marriage licenses will be mentioned there also. Will be much disappointed if he does not receive a grant of waste land. Observes that the addition of £50 to the salary of the Minister of William Henry is said to raise it to £200. He only has £100 now. 179

2. W. Scott to Lord Castlereagh. It appears that the bishop's power is limited to a superintendance and coercive authority in matters of discipline over the clergy. This appears too feeble, he should have a court with the necessary officers and power of enforcing process, but confined to Church discipline over the clergy and church officers so far as the latter are answerable to ecclesiastical rule. 181

19. John Black to same. Praying that his petition be speedily decided on. 182

30, sury nbers. George Harrison to Edward Cooke. Having laid before the Lords Commissioners a report of the Comptrollers of Army accounts, dated the 17th inst., on a letter from Mr. Lane, Assistant Commissary of Accounts, relative to the Indian store accounts for Upper Canada, he has been instructed to transmit copy of Mr. Lane's letter and its enclosure to him (Cooke) in order that they may be thoroughly examined. 84

(Enclosures calendared at their respective dates.)

31. John Black to ——— Asking again for some position under Government. 194

1, nance es. R. H. Crew to Edward Cooke. Enclosing abstracted return of small arms, ammunition and stores which the Board of Ordnance have ordered to be sent to Quebec since the beginning of the present year; also abstract of the same sent to Halifax in the month of March last. 195

Enclosed. Ordnance stores sent to Quebec. 196

Ditto to Halifax. 197

2, bec. Craig to Erskine. The only chance of alleviating the loss sustained by the merchants trading to the Indian country, through the seizure of their goods at Niagara by the United States Customs, lies in their immediate restitution, that they may be sent to their destination before the season closes. Consider the seizure a mistake resulting from the over zeal of the customs officer. Considers it an outrage; armed boats had no right to pursue citizens in free waters. The American government should put a stop to such violence. 18

(In Craig's No. 37 of 29th October.)

3, tehall. W. Fawkener to Cooke. Has laid before the Council for Trade and Foreign Plantations his (Cooke's) letter, enclosing one from Craig with copy of an address of the House of Assembly of Lower Canada, respecting the repeal of the Act of 28th of His Majesty. chap. 39. The Lords of the committee will take the same into consideration particularly that part relating to the valuation of staves and headings. 199

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June 3, Admiralty Office. John Barron to same. Has laid before the Admiralty the respecting Guillaume Martin, a prisoner of war at Chatham. Di given for his release. P

June 23, Audit Office. Wm. Walter, secretary, to same. Respecting the papers nece elucidate the accounts of Henry Caldwell, Receiver General of Canada.

July 4, Treasury Chambers. Wm. Mitford to the Lords Commissioners of the Treasury. ing particulars of articles presented to the Metropolitan Ch Quebec from His Majesty.

Enclosed. Particulars of communion plate, &c., bought of I Bridge and Rundell.

List of altar cloths bought of Charles Smith, upholsterer.

List of books bought from Mr. Payne.

July 18, Treasury Chambers. George Harrison to Edward Cooke. Having laid before th Commissioners of the Treasury a letter from Mr. Mitford trans particulars of the articles to be sent as a present from His Ma the Metropolitan Church at Quebec, he is commanded to transi paper to him (Cooke) in order to have a communication mad Lieut.-Governor at Quebec.

(Enclosures calendared at their respective dates.)

July 21. John Black to same. Requesting that his application for the of St. Maurice be looked into as soon as possible, to enable proceed to Quebec. Asks to be appointed to the position of s tendent of the King's ship and batteaux yards, inspector of all t ber expended in the military departments and by the civil gover and agent for the Seigniory of Sorel. If these cannot be grant that he be provided for upon the Canada establishment.

July 23, Whitehall. Stephen Cottrell to ———. The committee of the Cou Trade and Foreign Plantations having considered the letter fron H. Craig relative to the culture of hemp, desire he (Craig) sh authorized to give all encouragement to that industry. W measures shall be adopted by him will meet with the sanction Council. Lord Castlereagh to be informed that their Lordship good reason for increasing the indemnity to growers of hemp, the value has risen to an unforseen height, yet the expense of ra not greater than when the price was fixed at £43 per ton on c at Quebec, Montreal or Niagara. They may, if they see fit, di it in any other way or ship it to England, where they will rec market price when recieved into His Majesty's stores, unless th be under £50 por ton, which is the least price to be paid for C hemp for the period of two years.

July 29, St. Rochs. Bishop (Anglican) of Quebec to Sir J. H. Craig. Thinks th belonging to the widow of Chief Justice Elmsley the most elig a see house.

July 30, Quebec. Craig to Bishop of Quebec. Though the house belonging Elmsley is not all that can be desired, yet considers it would be b purchase it than to attempt to build.

August 1, Quebec. J. Hale to same. The price fixed for her house by Mrs. Elmsle leaving the country was £4,000; he has since been authorized such arrangements as will expedite the sale, therefore would accept reserving to Mrs. Elmsley the power to revoke before the tra completed.

August 2, St. Rochs. Bishop (Anglican) of Quebec to Craig. Is anxious to obtain information as to the value of Mrs. Elmsley's house and the required to put it in a fit state. Thinks Col. Bruyeres or son person should examine the building to ascertain these two point

August 3, Quebec. R. H. Bruyeres, Lt.-Col., R. E., to Lt.-Col. Thornton, Militar tary. In obedience to the order of the Commander of the Fo

examined Mrs. Elmsley's house. Is of opinion that it is in the most eligible situation and fully worth the price asked. Considers £2,500 would finish the interior and make the necessary alterations. A new house could not be erected at the same cost.

Thornton to the Bishop of Quebec. Enclosing Lt.-Col. Bruyeres' report on the state and value of Mrs. Elmsley's house. Page 223

Forsyth, Richardson and Co. to Inglis, Ellice and Co. (Extract.) The boats which had escaped seizure by the American Custom House Officers all arrived at Michillimackinac. By orders from the United States Government the officer at Niagara is to give up the goods upon security to abide the issue of a trial in their courts, &c. This is considered as a trick to protect their officers, and as it is now too late to make use of the goods, they will remain at Niagara. Our plea when the trial comes on, will be that the goods were seized in waters out of the jurisdiction of the American Courts. 213

Bishop (Anglican) of Quebec to Castlereagh. In obedience to his Lordship's instructions he has made all enquiries respecting a house which might be purchased for the use of the Bishop. Encloses copies of letters on the subject. Importance to Mrs. Elmsley of a speedy decision. Thanks for the favourable attention to his application for waste lands. 215

(Enclosures calendared at their respective dates.)

Same to same. Asks that Sir James Craig be notified of the increase to the salaries of the ministers established in the towns as they were disappointed on the 1st of May, no orders having been received to that effect. Is in the same situation himself as regards the allowance made him in lieu of a see house. His increase dates from his return to Canada. Is the date to be the time of sailing, 2nd May, last, or the date of landing, 10th July? Has not yet heard anything from Lieut.-Governor Gore on the subject of the waste lands he, the Bishop, had asked for. 224

George Harrison to Edward Cooke. Transmitting a letter from Craig, enclosing the account current of the Receiver General together with the report of a committee of the Executive Council on the public accounts commencing 11th April 1807. Requests Lord Castlereagh's opinion thereon. 227

Captain Hallowell to Castlereagh. Enclosing substance of Mrs. Elmsley's memorial, as neither the original nor a copy are to be found. A short time before Mr. Windham went out of office she memorialed him for some relief, and stated that if the three houses she owns could be purchased for government she would be helped in the easiest way; since then she had hoped to be able to find tenants for them or sell one as a Bishop's residence; she has been disappointed on both points. He thinks she might have a pension on account of her husband's services. 228

Enclosed. Memorial. 230

Lady Milnes to same. Reminds him of the Duke of Portland's promise of a grant of a township in Lower Canada to Sir Robert. 233

Captain Hallowell to (Castlereagh ?) Begs to know what will be done for Mrs. Elmsley. 234

Requisition for goods to complete the supply of His Majesty's Indian stores with presents for the Indians in Lower Canada, for the year 1810. 22a

(In Craig's No. 38 of the 29th October.)

Requisition for stationery for the use of the Storekeeper General's Department for the year 1809. 26

(In Craig's No. 38 of 29th October.)

Memorial of the merchants of Montreal carrying on trade to Michillimackinac *and the Indian country*, within the territory of the United

1808.

States. Signed by Forsyth Richardson and Co., McTavish Mc and Co., James and Andrew McGill and Co., Parker Gerrar and Co.

Enclosed estimate of the loading of eight batteaux belongi company seized on Lake Ontario by John Lees, the American of Customs at Niagara.

October 23, Lachine. George Hawdon, Storekeeper general, to Ryland, expla reason for the larger requisition for Indian presents this y last.

(In Craig's No. 37 of 29th October.)

October 29, Quebec. Craig to Castlereagh. (No. 37.) Enclosing copy of a memo the merchants of Montreal concerned in the Indian trade in the of the United States. Also two letters to Mr. Erskine, His minister at Washington, on the same subject.

(Enclosures calendared at their respective dates.)

October 29. Same to same. (No. 38.) Enclosing a requisition for Indian As it is £360 in excess of last year, sends letter from the St General, explaining the reasons for the increase. Also enclose sition for stationery for the Storekeeper General's office and the establishment of the Indian Department for the ensuing yea inconvenience caused by the Indian presents not arriving at Q the Autumn.

(Enclosures calendared at their respectives dates.)

October 29. Same to same. (No. 39.) Enclosing memorial of Mr. Dunn; recommends it.

Enclosed. Memorial of Thomas Dunn.

October 31 London. Memorial of Margret Le Maistre to Lord Castlereagh. A relief in the form of a pension.

November 9, Treasury Chambers. George Harrison to Edward Cooke. Asking, for the informa Treasury, when Sir Robert Shore Milne's salary as Lieutena nor of Lower Canada ceased.

November 10, Quebec. Craig to Castlereagh. (No. 40.) By the despatch of 7th Jul prepared for the removal of Sir George Prevost and his f Halifax to a distant station, and able to replace his force w ment from this province. Had received a despatch from Prevost had fresh instructions making his departure depend upon a cor Should he now be obliged to sail, it would at this season be ver to send troops. Impossibility of procuring ships for transpo previously directed Prevost to recall the 101st from New Bru the event of his (Prevost's) departure. The loss of H.M. ship " near Port Neuf; the crew saved; the provision made for them

November 13, Quebec. Same to same. (No. 41.) Wishes to correct the delays in gr waste lands, which discourage settlers. One difficulty was th for sale of parts still ungranted of the surveyed and subdivi ships; the interest of the money to be used to defray the publ ses. The sale was a complete failure; they were put up time, but no bidders offered. Ever since then the council has sidered it right to grant any of these lands. Thinks that aft lure of the experiment the land should be granted as before. the province through settling complete townships, instead of settlements. Encloses copy of a report of the whole council o ject.

Enclosed. Report of the whole committee.

November 15, Quebec. Same to same. (No. 42.) Transmitting certified copy of th exchange and current prices at Quebec for October.

Enclosed. Prices current at Quebec for October.

ber 15, Same to same. (No. 43.) Enclosing memorial of the North-west Company, and also a paper forwarded with it, referring to the bill to be brought before the Parliament of Great Britain for prohibiting the use of spirituous liquors among the Indians. Page 50

Enclosed. Memorial. 51

Paper respecting the bill. 53

ber 15, Craig to Castlereagh. (No. 44.) Enclosing memorial from the widow of Mr. de la Bruère and letter on the same subject from Col. Bruyères. Recommends the petition, which asks that her husband's pension be continued to her. 69

Enclosed. Letter from Col. Bruyères recommending the memorial. 70

Memorial, in French. 71

ber 16. Order in Council appointing M. de Salaberry an honorary member of the Executive Council of Lower Canada. 238

ber 16. Order in Council appointing Mr. James Irvine an honorary member of the Executive Council of Lower Canada. 239

ber 20. Sir Robert S. Milnes to —— (Confidential.) Has not yet received any satisfactory information either on the subject of his retiring allowance or the grant of a township in Lower Canada. 240

Enclosed. Extract on the subject of the grant. 243

ber 20, Bishop (Anglican) of Quebec to Ed. Cooke. (Private.) Enclosing letter from Dr. Stewart on the state of the Church in Canada, and extracts from a despatch from the Duke of Portland to Governor Milnes on the subject of rectories. 244

Enclosed. Letter from Dr. Stuart. 248

Extracts. 254

ber 21, The Chevalier de Thomin to ——. Asking that his pension be com-
Fields, muted and that he be allowed to settle in Canada. 256
worth.

Enclosed. Letters from the Treasury allowing him to commute his pension. 257

ber 22, Craig to Castlereagh. (No. 45.) Enclosing requisition for stationery for the Civil Department of Lower Canada, for 1809. 73

Enclosed. Requisition. 74

ber. Same to same. (No. 46.) Enclosing naval officers' returns of the vessels entered inwards and cleared outwards at the Port of Quebec between 5th July, 1808, and 10th October, 1809. 76

ber 6, George Harrison to Ed. Cooke. Transmitting a requisition for Indian
y stores for the year 1810, and one for stationery for the office of the
ers. storekeeper. 259

Enclosed. General requisition for Indian stores. 258

ber 6, Same to same. Transmitting account current of Receiver General
y dated 10th April last, and report of a committee of the whole Executive
ers. Council on the public accounts for the six months commencing 11th October. 260

ber 27, Craig to Castlereagh. (No. 47.) Enclosing certified copy of the rates of exchange and current prices at Quebec for the month of November last. 77

Enclosed. Prices current at Quebec for November. 78

ber 28, Same to same. (No. 48.) Enclosing a report made by the Attorney General on the suit between the Crown and Mr. Sanguinet, proprietor of the Seigniory of La Salle, which is now in appeal; also a statement of the case. A copy of the proceedings in the Provincial Courts shall be sent by the next mail, to enable His Majesty's law officers to meet the case. 81

Enclosed. Report of the Attorney General. 83

Plan of the Seigniory of La Salle. 84a

Statement of the case. 85

1808. December 31, Downing St. Draft of a letter to Craig. (No. 14.) Authorizing the granting of land in Lower Canada, equal in quantity to a township, to Sir Robert Shore Milnes. Page 90

No date. Proposed establishment for the Indian Department, Lower Canada for the year 1809. 26a

(In Craig's No. 38 of 29th October.)

GOVERNOR CRAIG, 1809.

Q. 109.

1808. November 5, Quebec. Ryland to Monro and Bell. Asking, if they are willing to make a better offer for the St. Maurice Forges. 31

(Enclosed in Craig's No. 50 of 21st February, 1809.)

December 31, Quebec. Monro and Bell to Ryland. In answer to his letter of the 5th ult., relative to the lease of the Forges of St. Maurice, give a full statement of the case. 32

(Enclosed in Craig's No. 50 of 21st February, 1809.)

1809. January 5, Downing St. Draft of a letter to Sir J. H. Craig. Transmitting extract of a letter to the Bishop of Quebec, authorizing increases to the salaries of certain clergymen, also an allowance of £400 a year to the Bishop (Anglican) of Quebec, till a see house shall be purchased or erected. 1

January 25, Quebec. Craig to (Castlereagh ?) (No. 49.) Transmitting copy of record of the proceedings had in the principal courts of Lower Canada in the cause between the Crown and Mr. Christopher Sanguinet, proprietor of the Seigniory of La Salle, now in appeal to His Majesty in the Privy Council. Thinks it proper to mention that Mr. Sanguinet has not as yet taken out the transcript prepared for him of the proceedings; should he fail to prosecute his appeal within 15 calendar months the judgment of the Provincial Court of Appeals may be carried into effect. 3

January 25, Quebec. Same to same. (No. 50.) Enclosing certified copy of rates of exchange and current prices at Quebec for the month of December. 5

Enclosed.—Quebec prices current for December. 6

January 31 Downing St. Draft of letter to Sir J. H. Craig. The customary oaths to be dispensed with in the case of Sir Robert Shore Milnes, to whom His Majesty has been pleased to order a grant of land in Lower Canada. 9

February 6, Quebec. Craig to John Henry. (Most secret and confidential.) Instructions to proceed to Boston on a secret mission. He is to endeavour to obtain the most accurate information of the true state of affairs in that part of the Union; from the wealth and intelligence of some of the leading men it must naturally possess a very considerable influence over the other Eastern States. His own judgment and the connections he has in the town must be his guide as to how this information is to be obtained. Warns him against the sanguineness of the Federalists. He (Henry) is to send the earliest intelligence if this party should contemplate a separation from the Union. If such a thing appears likely and they manifest a desire for assistance from us he is authorized, if he can form an intimacy with any of the leading party, to insinuate that he will forward communications. Encloses credential in case such should be required. He is to obtain all possible information while passing through Vermont; to write frequently. How his letters are to be addressed for safety. 254

February 12, Washington. Martin Chittenden (a member of Congress) to ———. The feeling at Washington. Four days spent in debate over a resolution for repealing the embargo laws on first of June next, and granting letters of marque and reprisal. Britain appears ready for an amicable settlement of the existing difficulties and seems to want to avoid war if it can consistently be done. The expected strength of the parties in the Congress to meet on 22nd May next. 88

9.
ry 13. Craig to Castlereagh. (No 50 Duplicate.) The information from His Majesty's minister at Washington gives him every reason to expect war as the probable issue of the discussion pending. Thinks it will take place at no very long period after the next meeting of Congress. Considers it right to draw his Lordship's attention to the state and defences of these colonies. The security of Quebec is unquestionably of the first importance; while we retain possession of that place we have always a door open by which to recover the province, although it affords no security against the loss of it. Some little assistance may be expected from the militia, should we retain the province; should we lose and attempt to regain it, a much larger force would naturally be required in the latter than in the former case. The province has been neglected, the posts not kept up, and the works on the Isle aux Noix and the Fort at St. Johns are no longer in existence, while the projected post at William Henry has never even been begun; our frontier is thus entirely open. He has never attempted to re establish these posts, first: as all available means are required for the fortress of Quebec, and second; as garrisons would then be required to keep them up. The two last named forts necessary to help to make the province secure. Thinks the conquest of this province must still be effected by the old route of Lake Champlain. Upper Canada is also destitute of forts by which the advance of the enemy could be delayed two days, such forts as do exist are only calculated to cause the loss of the men put in them; at present we have the superiority on the Lakes. The enemy is building a vessel of considerable size; he has directed a vessel of superior dimensions to be built at Kingston. Thinks the entry to this province would be across the strait between Lakes Erie and Ontario; as the strait is only thirty-five miles long and nine miles of that distance impassable on account of the Niagara Falls, is of opinion we might guard the remainder. Another entry could be had by crossing the St. Lawrence at Oswegatchie and from thence up to Kingston. The difficulties in the way. The most probable route by Lake Champlain is quite unguarded by vessels as we have not one on that Lake, and no possibility of building. No ordnance whatever at any post except Quebec. Sees no probability of success without at least 12,000 men. The militia show a good disposition, but must have troops to help them. In addition to the force mentioned, would require a reinforcement of at least three companies and some artillery. A frigate and three or four smaller vessels are indispensable. The supplies required. 10

uary 14, lington. A. B. (John Henry) to———. The state of public feeling in Vermont. Great indignation felt on the subject of the embargo laws. Page 82

Enclosed. Long paper, undated and unsigned, answering thirty-six questions on the state of feeling in Vermont, especially regarding the embargo laws, political feeling in the United States and measures likely to be taken in case of war. 58 to 81

uary 15, lington. A. B. (John Henry) to———. Encloses letter from a member of Congress (Martin Chittenden) to an active Federalist in Vermont. According to his statement, the relative strength of the two parties in the new Congress is:—Federalists, 45, Democrats, 82. The state of feeling. 86

uary 18, dsor, Vt. Same to———. His last two letters were written from Burlington, the principal town in the Northern section of Vermont. Is now at Windsor, the principal town in the Eastern section, where Democracy (to use local phraseology) predominates over Federalism. Distrusts the over sanguine calculations of the Federalists. They declare "that the state will negociate separately for itself in case of war with England; and maintain its neutrality even by an armed force if no other state should unite with it." The Democrats on the contrary assert: "If war would not unite the people the equality of power would at least paralyze

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the efforts of both parties." Difficulty of deciding; thinks it safer to rely on the latter opinion in the present state of things. The Governor of Vermont is a prudent, industrious man, but has not the great abilities required to inspire confidence; he has at least pledged himself to co-operate with Massachusetts. Finds it necessary to correct by means of the public papers the erroneous idea that 5,000 men are equal to the conquest of Canada. Page 261

(In Craig's (separate) of 9th June.)

February 21, Quebec. Craig to Castlereagh. (No. 51.) Had observed in his (Craig's) despatch No. 35, that he considered it advisable before taking further steps in the business of the St. Maurice Forges, to ascertain whether Messrs Monro and Bell were disposed to take the lease on more favourable terms to the Province than the rent at which they had purchased at auction. Encloses a letter to those gentlemen from Ryland and their answer, which contains a detailed and candid account of the whole transaction. Considers it to have been a fair sale, and recommends that he be empowered to sign the lease. 24

(Enclosures calendared at their respective dates.)

February 21, Quebec. Same to same. (No. 52.) Enclosing petition from James Monk, Chief Justice, for a grant of lands. 45

Enclosed. Memorial. 47

February 21, Quebec. Same to same. (No. 53.) Transmitting copy of proceedings of the Executive Council concerning Waste Lands between 26th September, 1807, and 28th January, 1809, also concerning Matters of State between 14th June and 28th January, 1808. In the proceedings concerning the Waste Lands is given a full report on the claims of Mr. Cuyler. Under the circumstances could not decline issuing a patent to the family of the late Mr. Allsopp for sundry lots of land in Farnham, which had been prayed for by Mr. Cuyler; but after the suit between the Crown and Mr. Delorme, who lays claim to a portion of land of Farnham, there will still remain upwards of 2,000; he can recommend both Mr. Cuyler and Sir John Johnson for grants. It does not appear necessary to bring to his especial notice any of the proceedings of the Executive Council in Matters of State except the report from the Inspector General of the King's Domain and a letter from the Receiver General. The measures adopted in consequence are now in operation and he thinks they will tend to augment considerably the Provincial revenue by forcing a regular payment of the mutation fines due to the Crown. 49

February 21, Quebec. Same to same. (No. 54.) Transmits proceedings in the Executive Council on petitions for leases of the Crown and Clergy reserves in this province between 14th June and 28th January, 1808. Applications increasing rapidly. The rates charged. The rising value of these reserves. Has given a commission to Edward Burke as Auditor of land patents for Lower Canada; recommends that a salary be granted by the Crown for these duties. 51

February 23, Amherst, N. H. A. B. (John Henry) to———. Hopes the caution he has observed in sending letters will be approved of. It is believed that war will not be declared during the present session of Congress. It is thought an "armed commerce" will be permitted. The policy he hears Mr. Jefferson intends to pursue. 264

(In Craig's (separate) of 9th June.)

February 23, Quebec. Craig to Castlereagh. (No. 55.) Enclosing certified copy of rates of exchange and current prices at Quebec for the month of January, 1809. 53

Enclosed. Quebec prices current. 54

February 23, Quebec. Same to same. Enclosing copies of the two letters and an enclosure contained in one from a gentleman (J. Henry) whose correspondence in

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the months of March and April last he had transmitted. Cannot be more explicit as he sends this by way of Halifax. Page 57

(Enclosures calendared at their respective dates.)

uary 26, on. A. B. (John Henry) to———. Has carefully collected and sent by safe private conveyances all the information worthy of credit that he could obtain as to the policy of the two parties in the United States. The public post offices are not safe in these times. Has not yet had time to judge to what lengths the Federal party will go; will wait till after the election of the Governors of Massachusetts, New Hampshire, and Rhode Island, which will indicate the comparative strength of the parties and the measures which the "Junto" in Boston may safely pursue. The best informed men here do not expect immediate war, but think means will be fallen upon to provoke Great Britain to commence hostilities, or at least furnish the American Government with a more plausible excuse for a rupture during the next session of Congress. However, it is confidently believed England will perceive the snare and throw all responsibilities upon the American Government. The effect of Mr. Canning's dignified civility will be to humble while it will irritate the French faction. 267

(In Craig's (separate) of 9th June.)

ch 5, on. Same to ———. A gentleman going direct to Montreal enables him to send this packet to Mr. Richardson, and does away with the necessity of writing in cypher. How he gets the confidence necessary to his mission. The apprehension of an immediate war has subsided. The probable effect of the non-intercourse law. Mr. Madison will probably bring about hostilities without appearing to be the blamable party; how this might be done. Should war be declared in spite of the Eastern States, thinks Massachusetts would call a congress to be composed of delegates from the Federal states and erect for the time being a separate government. In such an event he can only conjecture what would be the result; relations would probably be established with Great Britain. Does not know what permanent benefit would grow out of this, but it is generally understood that a secession of the Northern States would be followed by an alliance with England. The project of withdrawing the Eastern States from the Union is abandoned for the present, as the common people are disinclined for it. The meeting of Congress in May will decide what situation public affairs are to remain in. Believes in the *integrity of intention* of the leading characters but cannot forget that they derive all their power from a giddy multitude. 269

(In Graig's (separate) of the 9th June.)

ch 9, on. Same to ———. In his letter of the 5th inst., had expressed his opinion on the non-intercourse law, and how Great Britain may defeat its object. More observations on the same subject. 274

(In Craig's (separate) of 9th June.)

ch 15, on. Same to ———. He will have seen by the public papers that the Federalists of Massachusetts have prevented war with Great Britain by convincing the Government of the United States that it would be more than the resources, &c., the country could stand. The session has passed without any part of the plans of the administration being carried into effect, except an interdiction of commerce with Great Britain and France. Even this will cease in June, unless renewed, which the Federalists will try to prevent. The circumstances under which the new Congress will meet depend on the state elections. The policy to be observed by Great Britain. Regard must in the meantime be had to the election, which will soon take place. Laments that the non-intercourse law has superceded the embargo, as it it calculated to check the progress of revolution lowering in the horizon, and giving promise of a tempest which would overturn Democratical institutions and deter the world from making

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another experiment in this sort of Government. "While the high road of history is strewed with the wrecks or whitened with the monuments of republics this alone remains to encourage innovation or render the popular theories even plausible." Page 277

(In Craig's (separate) of 9th June.)

March 20, Quebec. Craig to Castlereagh. (No. 56.) Enclosing certified copy of rates of exchange and current prices at Quebec for the month of February, 1809. 91

Enclosed. Quebec prices current for February. 92

April 6, Boston. A. B. (John Henry) to ———. Nothing of any moment has occurred since his last communication. The election of governor, on which peace or war depends, was made on the 3rd inst. The returns from the distant states not yet received, but the success of the Federal candidate seems certain. This success, however, to produce the desired effect, ought to be more complete. Wonders that Democracy has still so many adherents. Reasons why Mr. Gore had not a larger majority of Federal votes. In his letter of 5th ultimo, had briefly stated the plans which he believed the "Junto" in Boston would act upon in case of war. The first step would be an application to the Governor General of British America for aid, especially that which would protect the small sea ports from the naval force of the General Government. There must be some one in Canada prepared to decide on this and other matters of similar importance, whenever it shall be necessary to apply to him. His own opinion is that the general government will travel round all intrigues before declaring war. In his next will submit his reasons for thinking so. 280

(In Craig's (separate) of 9th June.)

April 8, Downing St. Draft of letter to Craig. (No. 18.) Despatches Nos. 31 to 46 inclusive received. On the subject of No. 32, he (Craig) has long since received His Majesty's pleasure for appointing Mr. Sewell, late Attorney General, to be Chief Justice, and for appointing Mr. Uniacke who is now proceeding to Canada to succeed him. In No. 34, the explanation respecting the complaints of the Indians who claim certain rights in the Seigniory of Two Mountains appears satisfactory. By No. 35, he is glad to find that he (Craig) has not confirmed the lease of the St. Maurice Forges recommended by Mr. Dunn, and that he has hopes of amicably setting aside the sale and making an arrangement more advantageous to Government. Is sorry the culture of hemp is not proving more satisfactory; efforts should not to be discontinued. His Majesty has taken No. 39 into consideration and when his successor is appointed, Mr. Dunn will be permitted to retire from the position of puisne judge, with a pension of £500. No. 41, respecting the ungranted residues of townships. If any bill should come before Parliament for prohibiting the use of spirits among the Indians of North America he will take care that the considerations in No. 42 shall be attended to. Regrets Mrs. Bruyère's application for the pension granted to her late husband cannot be entertained. 95

April 8, Downing St. Same. (No. 19.) Has sent a separate despatch recommending him (Craig) to investigate the circumstances of the Indians in Canada. Entirely concurs that in present relations with the United States, the Indians must be conciliated on the principle that if not for us they will be against us. No immediate necessity for altering the system of paying the expenses of the Indian Department. His Majesty approves of the appointment of Mr. Elliott to succeed Mr. McKee, allowing the latter his allowance till further orders. 99

April 8, Downing St. Same. (Private.) The existing state of affairs, though presenting a hope that hostilities may be avoided, yet prevents our desisting from cautionary measures. Therefore recommends him (Craig) to persevere in the strengthening Quebec, and making the militia force available.

Care to be taken that these measures be not misconstrued and made the ground for misunderstanding or retaliation. Page 101

A. B. (John Henry) to———. As he is anxious to transmit with the utmost speed all the facts and the public opinion on important matters, his correspondence must of necessity be rather desultory, but flatters himself he is perfectly acquainted with the state of affairs here. Mr. Gore is elected by a majority of 3,000, thus raising an insuperable barrier to prevent war. The New England States side against the Administration. Reasons why the Federalists are not stronger. By the aid of a small sum of money the Federal "junto" obtained copies of despatches of the American minister at Paris, from which were selected the letters published under the title of "Suppressed Documents," a copy of which he (A. B.) sent to Mr. R——d. The notes were written by the author of "The Analysis," which so largely helped to allay the feeling against Great Britain. Thinks if war should be declared under the existing state of affairs the New England states would not be a party to it. Reasons for thinking the General Government would try every expedient before declaring war. Will forward a statement of the number of Democrats and Federalists in the Northern states when he has accurately ascertained it. 283

(In Craig's (separate) of 9th June.)

Same to———. Has little to communicate on local politics since the 12th inst. Has not yet accurately ascertained the number of the respective parties in the New England states. New Hampshire, Connecticut and Rhode Island are decidedly federal. Elections in Massachusetts take place next week; he does not doubt the result will be favourable. The elections for Congress in the Southern States indicate a change. Thinks the minority will be more numerous than Mr. Chittenden's letter stated. The New England Federalists are well satisfied with the proclamation restoring the intercourse between the two countries; the Democrats affect to be pleased with it also. The chief benefit to be drawn from the settlement of existing difficulties is that Buonaparte, baffled in his attempt to involve England and the United States, may think it to his advantage to declare war against America; great advantage might result for Great Britain from this step, as party feeling would be forgotten in a common cause. The present state of affairs not favourable to the Democrats. On beginning this letter, had intended to make some observations on the treaty talked of, especially that part relating to the boundary line. The American Government will certainly try to arrange this matter so as to obtain a portion of the fur trade. This subject is amply discussed in a memorial of the North-west Company to the Governor General. 289

(In Craig's (separate) of 9th June.)

Same to———. As there seems a great probability of an accommodation between the two countries he will now have more leisure for writing on general politics. In the more critical period, passing events took up all his time. Has nothing to say on local topics. Thinks the parade made in the Government paper of the sincere disposition on Mr. Madison's part to be on friendly terms with Great Britain should awaken vigilance and distrust rather than confidence and hope. Analyses his (Madison's) motives. 293

(In Craig's (separate) of 9th June.)

Craig to Castlereagh. (No. 56.) Enclosing memorial from Mr. Justice Crawford, provincial judge of the District of Gaspé, whose claims for an augmentation of salary were reported on by the Executive Council in April, 1807, and afterwards transmitted for his (Castlereagh's) consideration, to which no answer has been received. His reasons for recommending Mr. Crawford's petition. 102

Enclosed. Memorial. 104

1809.

Extract on the subject from the proceedings of the Executive C
cil. Pag

May 15, Boston. A. B. (John Henry) to———. Nothing new or interesting occurred since his last. Mr. Madison's prompt acceptance of the fri offers of Great Britain has caused a temporary lull in the party st neither party believes him to be sincere, and both distrust him. growing strength of the Federalists should decide the Preside abandon the policy of his predecessor. Should Buonaparte attemp act of hostility these states would soon be indissolubly bound to Britain. The federal party would then support Mr. Madison; they already promised to do so, provided he conclude an honourable t with Britain and resent the insults of France. Whatever may be Madison's motives for appearing to abandon the system of hos against Britain, his acts so far seem to prove his sincerity. Has ord the militia to be disbanded and the crews of the gun-boats in this har discharged. Has also partially withdrawn his support from "National Intelligencer" on account of some remarks ascribin recent accommodations to other reasons than his sincere desire equal justice to Britain and France.

(In Craig's (separate) of 9th June.)

May 22, Boston, Same to ———. As soon as the result of the election in this st ascertained will be to correctly state the relative strength of the p in all the Northern States, including New York, which has joined league." Is now confident that a war with Great Britain originati present causes is scarcely possible. Whatever Mr. Madison's designs, he must adopt a friendly policy towards Britain. The t public opinion blows in her favour. Two months ago the State of York was not counted an ally of Massachusetts. The elections fo Lower House are going on in this State; curiosity felt as to the r Means taken to defeat Mr. Gore.

A P.S. states he has at that moment received Mr. R——d's lette will be at Montreal in the first week of June.

(In Craig's (separate) of 9th June.)

May 22, Quebec. Craig to Castlereagh. (No. 57.) Enclosing petition (in French) the nuns of the Hotel Dieu at Montreal, for authority to enable th acquire, by means pointed out, two separate funds limited to the a sum of £500, one for the support of the hospital, the other for the port of the nuns themselves. The utility of the institution. R mends the petition.

Enclosed. Memorial.

May 24, Quebec. Same to same. Enclosing certified copies of the rates of excl and current prices at Quebec for the months of March and 1809.

Enclosed. Quebec prices current for March.
do do April.

May 29, Quebec. Craig to Castlereagh. Transmitting naval officers' returns of v entered inwards and cleared outwards at Quebec between 10th Oc 1808, and 5th April, 1809, inclusive.

May 30, Quebec. Same to same. (No. 58.) Despatches received. Transmits ac of the exports from this province to the West Indies for 1807 and The report of the Executive Council on the provincial accounts for year ending 10th October last, will be forwarded without delay. aware of any property or revenue here, that comes under the descri pointed out in Mr. Harrison's letter enclosed in his (Castlereagh 6th March, except it be the Jesuit Estates, which never having be yet granted by His Majesty or appropriated to any particular pur may possibly be viewed in that light. Is at a loss what steps to respecting this property. The value, etc., of these estates. Will d

1809.

best to prevent encroachments on the wood lands or timber reserved for the use of the Royal Navy. Intends to proceed up the country on a six months' tour. Page 124

Enclosed. Statement of exports from Lower Canada to the West Indies. 127*a*

Craig to Castlereagh. Regrets that he has found it indispensably necessary to dismiss Mr. Stuart from his office of Solicitor General. His reasons for so doing. Has not as yet filled up the vacancy on account of the prevailing report that His Majesty has appointed Mr. Uniacke Attorney-General; in which case he shall offer the post to Mr. Bowen who at present does duty in that office. Some observations on the qualifications necessary for that position. If Mr. Uniacke does not possess these qualifications, recommends that he succeed to the office of Chief Justice of New Brunswick, vacant by the death of Mr. Ludlow. His entire satisfaction with the appointment of Mr. Sewell to the Chief Justiceship. 128

Same to same. (No. 59.) Encloses speeches on the opening and closing of the Provincial Parliament. Reasons for the complexion which he (Castlereagh) will notice they bear. The party of which he gave an account in despatch No. 29, had an alarming number of adherents in the House, and the general behaviour of the Parliament was such that he judged it expedient to dismiss it and call a new one in the hope that none of the objectionable members would be again elected. Satisfaction with the measure. 134

Enclosed. Speech on the opening of the Provincial Parliament. French. 144

English. 153

Answer to the above, English 159, French 180. 159, 180

Quebec Gazette, 16th May, 1809, with speech on the prorogation of Parliament. English 202, French 209. 202, 209

Craig to Castlereagh. (No. 60.) Transmits exemplifications of the several Acts passed in the last session of the Provincial Legislature of Lower Canada, also printed copies of the same and manuscript copies of the Journals of the Council and Assembly; the latter could not be printed as the Houses were prorogued so suddenly there was no time to pass the necessary vote. 223

Enclosed. Schedule of the Acts passed. 224

Same to same. (No. 61.) Enclosing memorial from the widow of John Coffin, Inspector of Police at Quebec, and Surveyor General of Woods in Lower Canada. Recommends the petition. 225

Enclosed. The memorial. 228

Letters accompanying the memorial. 229 to 235

Craig to Castlereagh. (No. 62.) Enclosing memorials with accompanying document from a committee of trade on behalf of the merchants of Lower Canada. Will add no arguments as they speak for themselves. 236

Enclosed. Memorial to Craig. 238

Ditto to Castlereagh. 239

List of exports from the port of Quebec enclosed with the memorials. 248*a*

Craig to Castlereagh. Enclosing certified copy of the rates of exchange and current prices at Quebec for May, 1809. 249

Enclosed. Quebec prices current. 250

Same to same. (Separate.) Had mentioned some time ago in a private letter to Mr. Cooke that he had been induced by the state of affairs in the United States to send Mr. Henry on a confidential mission to Boston. Encloses instructions which he (Craig) gave to Mr. Henry and the original letters received from him between 14th February and 22nd May last, at which time he received instructions to return. 253

1809.

(Enclosures calendared at their respective dates.)

June 10, Downing St. Draft of a letter to Craig. Transmitting copy of letter from the Treasury to Mr Cooke, dated 30th March last, with respect to a memorial from the widow of Colonel St. Luc. Page 304

June 10, Downing St. Same. Transmitting letter from the Treasury, dated 17th ult., relative to the settlement of the Indian Store accounts in Upper Canada, together with a copy of Lt.-Gov. Gore's despatch of 19th October last, therein referred to. 305

June 16, Quebec. Craig to Castlereagh. (No. 63.) Mr. Forbes, Lieut.-Governor of Gaspé has arrived at Quebec, and will go down to that district in the course of the summer. His Majesty's assent to the Gaspé Jail Bill not yet received, though he (Castlereagh) mentioned in his despatch No. 10, of 7th July last, that it would be approved. The bill was presented for Royal assent on 14th April, 1808, it will be necessary to introduce it afresh unless regularly notified of its approval within two years from that time. 306

September 7, Downing St. Draft of letter to Craig. (No. 21.) Has laid before the King his (Craig's) letter of 5th June detailing the reasons for dissolving the Parliament. Has no doubt he (Craig) was influenced solely by a desire for the King's interest, and as he represents that the English part of the community and the sensible part of the Canadians approve, trusts it will not be attended with any prejudicial effect. Hopes in future if any unfortunate difference should arise between him (Craig) and the Legislative Assembly, in dissolving them, he will take care to use such temperate ends and chosen language as may not leave it in the power of the Assembly, afterwards chosen, to question the propriety of his statements. His Majesty approves of Mr. Stuart's removal, and Mr. Bowen's appointment in his place as Solicitor General. 217

September 7, Downing St. Same. (Private.) Having written officially on the subject of the dissolution of the Legislative Council, thinks it right to express his private sentiments. Difficulty of managing a Provincial Assembly constituted like that of Lower Canada; all the privileges of the British House of Commons are exercised where there exist little means of influencing and inducing the members to coalesce with the Government. The example of the American states and the nature of a popular assembly afford great opportunities for turbulent minds to raise themselves into imaginary or real importance by opposing the Administration. The great difficulty lies in the fact that there are no means of punishing a Assembly but by dissolution, and if they are popular it is sure to fail of success. Caution must be used in taking these extreme measures. The two grounds of complaint against the Assembly which he specifies are "their proceedings for preventing judges sitting in the assembly and for "endeavouring to expel a member on the allegation of his being a Jew "although he had taken the regular qualification oaths on the Gospels.' Considers neither of these objects illegitimate to pursue, therefore does not doubt the Assembly acted in the spirit he represents. Great care should be exercised in the wording of his speech on dissolution, as the new Parliament would be very liable to object to it on the ground of its interfering with their freedom, &c. Judges might be admitted to seats in the Legislature if he (Craig) should at any time see fit to acquiesce. 219

September 8, Downing St. Same. (No. 23.) Has laid before the King his despatches from No. 50 to 63. Since receiving his letter on the subject of the Forges of St. Maurice, thinks it advisable to accept at once the offer of Munro and Bell of £500 a year. Cannot transmit a final decision as to the grant of land asked for by Chief Justice Monk; wishes to be informed whether he at present has any grants of land and to what extent, also what grants are usually made to persons of his rank. Is glad to find by his despatch

No. 54 that the reserved lands are likely to become very productive. Approves highly of letting these lands. Also thinks well of the arrangements adopted upon the claims of Mr. Cuyler and Mr. Allsop; if the 20,000 acres in Farnham become disposable, empowers him to carry out his intentions respecting Mr. Cuyler and Sir John Johnson, the reserves should be on no account alienated. Approves of the measures adopted respecting the registry of the sales of any part of the King's domains and the recovery of arrears due thereon. Is not at present enabled to give any decision respecting the application of the nuns of the Hotel Dieu. Cannot authorize a pension to Mrs. Coffin. Representation of the Merchants respecting the trade of the provinces has been transmitted to the Committee for trade and plantations. Authorizes an increase to the emoluments of the Judge of Gaspé. Acknowledges his (Craig's) confidential communication of 9th June. Page 307

GOVERNOR CRAIG—1809.

Q. 110.

Draft of a letter to Craig. Authorizing the allowance of £200 per annum
St. to the widow of Chief Justice Elmsley. 1

Craig to Castlereagh. (No. 66.) Despatches received. Has transmitted copy of despatch dated 8th April, to Lieut. Governor Gore; will collect such particulars as to the state of the Indians as will enable His Majesty's Ministers to settle the points mentioned. Mr. Dunn's wish to resign on hearing he had been granted a pension; he will have no hesitation in accepting his (Dunn's) resignation. Has given the commission to James Ker. Mr. Bowen having declined the situation of Solicitor General left vacant by the dismissal of Mr. Stuart, he has therefore appointed Mr. Sewell, brother of the Chief Justice, to the office. 2

er 8, Draft of letter to Craig. (No. 22.) The acts 164 to 197 inclusive
St. have been submitted to the Privy Council and approved. That respecting the erection of common jails in Gaspé is under consideration. 4

er 8, Same. (No. 24.) The Bishop of Quebec on his arrival in England
St. had laid before the Government a representation of the ecclesiastical state of Lower Canada, which was referred to the Advocate General, who, before giving a final opinion, required the report of the Law Officers in that Province. Had supposed the Bishop would have brought the subject before the Council on his return; finds that, however, he waits until it is officially recommended to him (Craig) who must converse with the Bishop as to the best mode of bringing the subject before Council. 5

er 8, Same. (Separate.) The uncertainty of affairs between Great Britain and the United States prevents his giving him distinct instructions upon the subject of his (Craig's) letters of 13th February, preceding. Has received a letter from the Treasury upon the subject of the very great increase of expense in Canada from which he thinks it right to call for account of the sums drawn by the Governor and Lieut.-Governors of Canada. Transmits statements which show that the expenditure for Canada alone for the last year and a half amounts to £372,219 which exceeds that of former years so greatly as to necessitate asking for a detailed explanation, not with the object of censuring but with a view of knowing the full effect of his measures; trusts no additional expense will be required except in case of hostilities. Advises economy. 7

er 8, Craig to Castlereagh. (No. 67.) Enclosing memorial of the puisne judges of Quebec and Montreal, and of the Provincial judge of Three Rivers, stating that owing to the price of the necessities of life their present salaries are insufficient for their support. 9

1809.

Enclosed. The memorial. Page 10

September 8, Quebec. Craig to Castlereagh. (No. 68.) Enclosing petition to His Majesty from the minister (Jehosaphat Mountain) and other members of the Protestant Episcopal congregation of Christ Church, Montreal, asking for money to help to finish their church, the shell only of which is put up, and for want of funds to complete it is falling into ruin. 12

Enclosed. The petition. 14

September 11, Quebec. Same to same. (No. 69.) Enclosing certified copy of the rates of exchange and current prices at Quebec for the months of July and August last. 17

Enclosed. Quebec prices current for July. 18

Ditto for August. 21

September 12, Quebec. Craig to Castlereagh. (No. 70.) A Mr. Black arrived here and delivered his Lordship's despatch, No. 11. He proposes to give £1,000 a year for the lease of the Forges of St. Maurice, and states he has already lodged security with him (Castlereagh). Asks for further advice. Should he not close with Messrs. Monro and Bell, they might refuse to relinquish their right. Some time must elapse before it could be settled; only then could negotiations be opened with Mr. Black. As he considers him a person of no capital nor credit, he will not come to any agreement with him unless he can really give that security required by the Council for renting and working the Forges. Black also asks to be made superintendent of the King's ships and bateaux, they are under the charge of the Quarter Master General's Department, no single man could discharge the duties which are at present satisfactorily managed. As to his application for a further grant of land, Mr. Black has already had a complete township, which he sold. If he must be provided for, he considers a grant of land the most suitable way. Does not recommend him for any office. 24

September 18, Quebec. Same to same. (No. 71.) Is under the apprehension that some accident must have happened to delay the communion plate ordered by His Majesty for the Metropolitan Church at Quebec. 28

October 10, Quebec. Same to same. (No. 72.) Transmitting copy of the proceedings of the Executive Council on matters of State between 28th January and 22nd August last inclusive. 29

October 26, Quebec. Same to same. (No. 73.) Enclosing a requisition for Indian stores and presents for Lower Canada, a requisition for stationery, and the proposed establishment of the Indian Department for 1810. 30

Enclosed. Requisition for Indian stores. 31

Ditto for stationery. 32

Proposed establishment of the Indian Department for 1810. 33

October 27, Quebec. Craig to Castlereagh. (No. 74.) Enclosing a requisition for stationery for the Civil Department of Lower Canada for 1810; requests it may be sent out as early as possible in the spring. 34

Enclosed. Requisition. 35

November 4, Quebec. Same to same. (No. 75.) Enclosing certified copy of rates of exchange and current prices at Quebec for the months of September and October last. 37

Enclosed. Quebec prices current for September. 38

do do for October. 41

December 14, Quebec. Craig to Castlereagh. (No. 77.) In conformity with the instructions in his despatch of 21st June last, has written to the persons holding Civil appointments in this province, asking them to transmit an account of the duties and emoluments of their several offices. Encloses the returns sent accompanied by a general abstract, also list of persons from whom no replies have yet been received, but which will be forwarded as soon as they come in. 44

Enclosed. Returns. 46 to 52

GOVERNOR CRAIG, 1809.

Q. 111.

Continuation of the returns enclosed in Craig's No. 77 of 14th November, 1809. Pages 1 to 140

808. t 10, l River. John Norton to ———. The intention of attempting to civilize the British Indians as also the probability of a rupture with America leads him to make some observations on the state of the Indians and their lands. 170

mber 1, l River. Same to Hon. Wm. Wilberforce. Respecting the Indian lands. 179

809. ary 11. Robert Prescott to ———. Enclosing a memorial to be laid before the King. 149

Enclosed. The memorial. 151

uary 1, reat. J. Monk to Rashleigh and Co. Transmits copy of a memorial to Lord Castlereagh. States the grounds on which he bases his petition. 185

(In Rashleigh, Son and Lee's letter of 5th May.)

uary 18, minster. Memorial of Col. Lauchlan McLean for lands. 151

uary 28, on. Idle and Co. to Edward Cooke. Complaining of the infringements of their rights for cutting masts and other naval timber in Canada. 155

h 5, on. Alexander Mackenzie and Thomas Forsyth to Castlereagh. Applying for the aid which the Bishop of Quebec assured them would be given to finish the Protestant Church at Montreal. 157

h 10, on. Memorial of the merchants of London trading to Canada to the Privy Council, respecting the duties on furs. 158

Enclosed. Schedules of duties. 160, 161

h 30, sury. George Harrison to Edward Cooke. The Lords of the Treasury on considering the memorial of the widow of La Corne St. Luc think she has a strong claim to an allowance. If Lord Castlereagh concurs in their opinion he is to direct Sir James Craig to pay her such annual pension as is proper. 162

l 8. Unsigned paper on the subject of the Mohawk lands. 163

l 27, lee. List of fifty persons who sailed for Quebec on board the "Albion." 192

(In Harrison's of 20th May.)

5, Hatton en. Rashleigh, Son and Lee to George Cooke. Having received from their client Chief Justice Monk, a petition for lands which had been forwarded to Lord Castlereagh, they are desirous of knowing whether it has been received and whether any steps have been taken upon it. Also enclose copy of a letter received at the same time from Mr. Monk to be laid before Lord Castlereagh when the petition is under consideration. 184

(The enclosure calendared at its proper date.)

9, burgh. Morris West, secretary to the Board of Customs, to George Harrison. Encloses a list of 60 persons who sailed for Quebec on board the "Albion" to be laid before the Lords of the Treasury. 191

(In Harrison's of 20th May.)

30, sury abers. George Harrison to J. Beckett. Having laid before the Lords Commissioners a letter (enclosed) from the secretary to the Board of Customs in Scotland with a list of 60 persons who sailed in the "Albion" for Quebec, transmits the same for the information of the Earl of Liverpool. 190

(Enclosures calendared at their respective dates.)

2, phil. Sir Alex. Mackenzie to Ed. Cooke. Thinks it unnecessary to recall the claims of the Chevalier de la Garde as they have been sufficiently explained; confines himself to giving his opinion as to the best mode of procuring the means of subsistence for Mr. de la Garde and his family. 194

1809.
June 9, Quebec. Sarah Taylor, widow of Nathaniel Taylor, to Lord Castlereagh. Memorial asking for an addition to her present allowance. Page 197

July 7, Rosemount. Bishop (Anglican) of Quebec to Ed. Cooke. Thinks from the tone of his (Cooke's) answer to the application made by Sir Alex. Mackenzie for assistance for building the Protestant Church at Montreal, that he (Mackenzie) must have conveyed the idea that he had received a "particular assurance" from Government of the aid requested. In case it might be thought he assumed much more than should have been done, he explains the transaction in question. 199

August 1, Quebec. Wm. Smith, Master in Chancery, to Lord Castlereagh. Memorial for salary. 209

September 8, Downing St. Draft of a letter to the Anglican Bishop of Quebec. His letter to the Archbishop of Canterbury expressing disappointment at receiving no official communication on the subject of the grant for finishing the Church at Montreal has been transmitted to this office. Though hopes were held out to him (the Bishop) it was expected that on his return to Quebec a memorial would have been sent to the King. The Chancellor of the Exchequer will be ready to move the House at the next session, but a detailed memorial is necessary. Reasons for the delay is settling other matters respecting ecclesiastical rights in Canada. 206

September 11, Whitehall. Stephen Cottrell to ———. The Lords of the Committee of Privy Council for Trade have taken the joint memorial of the merchants of Lower Canada into consideration and are glad to find that they have been anticipated in several instances by certain bills which have since received the sanction of the Legislature. An account of these Acts. The Lords of the Committee will be ready to attend to any further representations on the subject. 211

September 22, Whitehall. Same to Ed. Cooke. The "Act" for erecting common jails, with Court Halls in the Inferior District of Gaspé, has been laid before the Committee of the Privy Council for Trade and their Lordships observing that Mr. Baldwin has not given his opinion thereon, he requests that it be forwarded. 214

November 11 Treasury Chambers. George Harrison to Hon. Cecil Jenkinson. Having laid before the Lords Commissioners a letter from Craig, transmitting the Receiver General's accounts for the half year ending 10th October, 1808, and report of the Council on the public accounts for the same period, is commanded to transmit the same for Lord Liverpool's observations thereon. 215

November 23, Quebec. Craig to Castlereagh. (No. 79.) A report that H. M. Ship "Foxhound" has been lost occasioned him to refer to the letter book to see what letters had been sent by her. Sends a copy of one, of which no duplicate appears to have been transmitted. 143

December 20, Treasury Chambers. George Harrison to Hon. Cecil Jenkinson. Having laid before the Lords Commissioners Craig's letter enclosing a list of astronomical instruments required for the Surveyor General's office in Canada, is commanded to transmit the same for Lord Liverpool's opinion thereon. 216

Enclosed. Craig's letter dated 3rd November. 217

List of astronomical instruments. 218

December 22, Downing St. Draft of a letter to Craig. (No. 1.) Five Acts passed by the Legislature of Lower Canada in May last have been approved of. 144

December 22, Downing St. Same (No. 2.) Transmitting Order in Council authorizing the giving due effect to the Bill passed by the Legislature of Lower Canada for erecting jails in the District of Gaspé. 145

1810.
January, Downing St. Same. (No. 3.) Despatches received and laid before the King. Cannot recommend the application of the puisne judges for an increase of salary, as the ground of the memorial, the advanced price of the necessaries of life, might be put forward by every other public officer in the

1810.

country. Application will be made to Parliament for a sum not exceeding £4,000 to complete the Protestant church at Montreal. The instructions he (Craig) has already received to close with the offer of Monro and Bell for the lease of the Forges of St. Maurice, render it necessary to enter further into the subject of Mr. Black's proposal. The requisitions for Indian stores and stationery for 1810 and 1811 have been forwarded to the Treasury. Transmits copy of memorial from the widow of David Lynd, praying for an extension of the lease of certain lands. If he sees no objection, necessary directions are to be given. Page 141

GOVERNOR CRAIG, 1810.

Q. 112.

1810.
uary 14, bec. Craig to Castlereagh. (No. 79.) Enclosing certified copy of the rates of exchange and current prices at Quebec for the months of November and December last. Page 2

Enclosed. Quebec prices current for November. 3

Ditto for December. 6

uary 15, bec. Same to same. (No. 80.) Enclosing copy of the answer of Chief Justice Monk to a communication on his application for a grant of a township. Hitherto it has not been usual to give grants for services under the Civil Government. One quarter of a township was granted to each of six Executive Councillors constant in their attendance to the land business, under authority of a despatch dated 6th June, 1801; which also empowered the governors to decide what proportion should be given to members who had only attended occasionally. Three grants were made, 7,000 acres each, to the Bishop of Quebec and Mr. Baby, and 11,000 to the representatives of Mr. Finlay. Encloses an extract showing that the largest quantity intended to be granted to a single individual was 12,000 acres. Mr. Monk does not appear to prefer any claim on the plea of having given his time to the land business. 9

Enclosed. Letter from Monk, 23rd December, 1809. 11

Extract of a despatch on the subject of grants of land. 13

ruary 21, bec. Craig to Castlereagh. (No. 81.) The Legislature of Lower Canada met on the 2nd inst. Encloses printed copy of the speech on the occasion. 15

Enclosed. Speech, English. 16

Ditto French. 23

ruary 21, bec. Craig to Castlereagh. (No. 82.) Enclosing addresses from the Legislative Council and Assembly on the event of His Majesty entering into the fiftieth year of his reign, to be laid before the king. 30

Enclosed. Address, English. 31

Ditto French. 33

ruary 21, bec. Same to same. (No. 83.) Enclosing certified copy of rates of exchange and current prices at Quebec for January last. 35

Enclosed. Quebec prices current. 36

ruary 21, bec. Same to Lieut.-Col. Bunbury. (Private.) Congratulates him on his appointment in the Secretary of State's office. Gives a lengthy account of how he is situated with the Parliament, as he thinks Lord Liverpool will be glad to know the peculiar circumstances under which he dissolved his last one. 39

Enclosed. List of the members, with their circumstances and professions or trades. 53

rch 24, bec. Craig to——— (No. 5.) Though pressed by business, sends a report of the Democratic party here, lest an exaggerated account should reach England. This party has long been engaged in sowing the seeds of their pernicious principles, among the ignorant. It now becomes necessary

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to take decisive steps to quell the dissatisfaction. Has seized the press in the service of this party and arrested the leaders, Messrs. Bédard, Blanchet and Taschereau, together with the printer, on a charge of treasonable practices. Encloses copy of a proclamation issued on the occasion. It has produced a considerable effect among the wavering; he has not had time to hear of the full effect yet. Believes the people at large will be brought to a sense of the folly of their allowing themselves to be led astray. Page 55

Enclosed. Address to the Canadians (French). 59

Speech on the dissolution of Parliament. 77

Proclamation by Craig: English, 81; French, 89. 81, 89

March 30, Quebec. Craig to the Earl of Liverpool (No. 6, duplicate). Enters into his reasons for dissolving Parliament, for the information of His Majesty. 98

April 27, Quebec. Same to same. (No. 6.) Encloses certified copy of rates of exchange and current prices at Quebec for the months of February and March last. 114

Enclosed. Quebec prices current for February. 115

Ditto for March. 118

May 1, Quebec. Craig to Liverpool. (No. 7.) Conceives it to be his particular duty to forward a report on the state of this province. A lengthy report on the general affairs and political situation. 121 to 157

Enclosed. Letter dated 27th July, 1805, from Milnes to Earl Camden. Sending memorial of Monseigneur Pierre Denault to be acknowledged bishop of the Roman Catholic Church. 158

Enclosed. Memorial. 160

May 10, Quebec. Craig to Liverpool. (No. 8.) An Act was passed in the year 1805 for laying duties on the importation of certain articles therein mentioned, and on sales by auction, to provide a fund for the erection of jails in the districts of Quebec and Montreal, which was to expire on 25th March last. This measure has been so much more productive than was expected that by the expiration of the year the fund will amount to about £72,000. The charges will be £13,000 for Quebec jail, the same for Montreal, and £2,000 for Gaspé, which will leave a large surplus on the subject of which he wishes for instructions. The operation of this Act was very unfavourably looked upon by the merchants. Remarks on the civil expenditure of the province. 163

Enclosed. Statement of cash received under the Jail Act. 169

May 12, Downing St. Draft of a letter to Craig. (No. 4.) He is to collect a military report from each colony or station within his command, with a detailed description and necessary plans with remarks on the inhabitants, their political character, &c., to be kept to form a collection for the information of His Majesty's Government whenever they may require to refer to them. 170

May 12, Quebec. Craig to Liverpool. (No. 9.) Recommending the Hon. Pierre Amable De Bonne to be a member of the Legislative Council. 172

May 17, Quebec. Ryland to the Chief Justices and Puisne Judges of the Courts of King's Bench, Quebec and Montreal. Asking for a report as to Attorney General Uniacke's fitness for the position. 229

May 17, Quebec. Craig to Liverpool. (No. 10.) The state of the police both in Quebec and Montreal has been a cause of complaint ever since he (Craig) arrived. Encloses two presentments of different grand juries. Difficulty of inducing gentlemen to act as magistrates. The Quarter Sessions often adjourn for want of a sufficient number of Justices. Has appointed a barrister, Mr. Cuthbert, to be chairman of the Quarter Sessions, with a salary of £400 a year, with £100 additional as Inspector of Police. At Montreal, has appointed two Justices as Police Magistrates at £250 a year each. The advantage of these appointments. Trusts the measures will be approved. 173

Enclosed. Presentments. 177, 180

1810.

Report of the Committee of the whole Council on the defective state of the police in Quebec and Montreal. Page 183

18, ec. Craig to Liverpool. (No. 11.) Enclosing such returns relative to the revenue and expenditure of the Colony as appear calculated to bring the important subject under one view for his Lordship's information. Explanation of these returns. 184

Enclosed. The returns. 188a, 188b, 188c, 188d

21, treal. Sewell, Williams, De Bonne, and Kerr to Craig. Reporting that they consider the Attorney General's knowledge of criminal law very superficial. His knowledge of civil law often defective and he possesses little acquaintance with the French language, therefore they do not consider him qualified for the office. 234

21, treal. James Reid to Ryland. Having been absent from the province during the sitting of the only court where Mr. Uniacke had any business to manage, he is unable to report on his efficiency. 233

21, ec. Monk, Panet, and Ogden to ———. Reporting that they have hardly had a chance to judge of Uniacke's efficiency but do not think he quite comes up to what the Attorney General should be. 231

22, ec. Craig to Liverpool. (No. 12.) Transmitting copies of the only two Acts passed by the Legislature last session, also printed copies of the Journal of the House of Assembly for 1809 and 1810, and a transcript of the Journal of the Legislative Council for 1810. 189

29, ec. Same to same. (No. 13.) Transmitting copy of the proceedings of the Executive Council, Lower Canada, on Matters of State, between 22nd August, 1809, and 19th March, 1810, inclusive. 190

31, ec. Same to same. (No. 14.) Referring to correspondence which has already taken place on the subject of granting the waste lands. Thinks there was some misunderstanding respecting his despatch No. 41, where he enquired as to the residues of townships, as the answer, No. 23, seemed to refer to Crown and Clergy Reserves. Requests an explanation as matters are at a standstill. 191

31, ec. Minute of a communication made to the Attorney General by order of the Governor suspending him (the Attorney General) from his office. 236

1, ec. Craig to Liverpool. (No. 15.) Enclosing, in order to complete the report on the state of the province, two papers, the first a copy of Chief Justice Sewell's letter to him (Craig) respecting the politics, waste lands, &c., of the province, and discussing the subject of uniting Upper and Lower Canada, on which he is well able to write; the second, an extract of notes by a gentleman, also on the subject of the union. 193

Enclosed. Sewell's letter. 196

Extract of notes. 210

1, ec. Craig to Liverpool. Encloses an abstract of disbursements on account of the extraordinary services of the army in Canada, and of moneys paid on warrants to supply the deficiencies of the Civil Revenues of Upper and Lower Canada between 25th December, 1803, and 24th June, 1809, also a detailed explanation of the particulars by which the increase of expense within the last three years has been incurred. Observations on these expenses. 213

Enclosed. Remarks in explanation of the increased expenditure. 215

Abstract of disbursements. 223a

3, ec. Craig to Liverpool. (No. 16.) In June last Mr. Uniacke was appointed Attorney General in the place of Mr. Sewell, made Chief Justice. That gentleman's total ingnorance either of the French law or language, knowledge of both of which is absolutely necessary in Canada, has brought matters to such a standstill that he decided to suspend Uniacke; however, to avoid unpleasantness he desired him to ask for leave of absence to go to England, which he (Craig) granted. Asks that he be removed from office. Has appointed Mr. Ed. Bowen to act in the meantime,

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and recommends that he be appointed. Encloses some correspondence on the subject. Page 224

(Enclosures calendared at their respective dates).

June 4, Quebec. Craig to Liverpool. (No. 17.) Enclosing Addresses from the Legislative Council and House of Assembly on the event of His Majesty having entered on the fiftieth year of his reign. 238

Enclosed. Address from the Legislative Council 239

Ditto from House of Assembly. 241

June 4, Quebec. Craig to Liverpool. (No. 18.) Enclosing address from the House of Assembly to the King relative to the payment of the civil expenditure of the Government of this Province. Similar Addresses were voted by them at the same time to the House of Lords and the Commons in England, stating that the House of Assembly is enabled to engage to pay the civil expenditure of the Government. Encloses copies of these Addresses. 244

Address to the King, English. 246

French. 248

Ditto to the House of Lords. 250

Ditto to the House of Commons. 252

June 6, Quebec. Craig to Liverpool. (No. 19.) Mr. Caldwell, Receiver General, died a few days ago. Has appointed his son John to fill the position till His Majesty's pleasure be known. Recommends him for the situation. 254

June 6, Quebec. Same to same. (No. 20.) Despatches received. Has directed a lease of the Forges of St. Maurice to be made out in favour of Monro and Bell, at an annual rental of £500. Mrs. Lynd has applied for an extension of her lease of the Jesuits' Farm, adjoining the suburbs of Quebec, for a term of ninety-nine years. Does not recommend its being granted. Reasons for thinking a short lease should be sold to the highest bidder. 255

June 8, Quebec. Same to same. (No. 21.) Three Bills have been passed annually here, the first respecting aliens and certain subjects of His Majesty who have resided in France coming into the Province, or residing therein, the second for the better preservation of His Majesty's Government, and the third for making a temporary provision for the regulation of trade between this Province and the United States. The first Bill is of much importance here; several persons belonging to the Province have gone to France, certainly with no good intention, and it would be dangerous to allow them to return. These Acts are not now in existence, not having been passed last Session. Is convinced the Parliament will not pass the first two again. Begs that they should be supplied by Acts of the Imperial Parliament, the first to continue only during the war, but the third, relating only to trade, might be made perpetual. 258

June 10, Quebec. Same to ——. Circumstances have occurred which make him (Craig) desirous that the seat in the Executive Council be withheld from Mr. de Salaberry. 262

June 10, Quebec. Craig to Liverpool. (No. 22.) Enclosing certified copy of the rates of exchange and current prices at Quebec for the months of April and May last. 263

Enclosed. Quebec prices current for May. 264

Ditto for April. 267

June 10, Quebec. Craig to Liverpool. (No. 23.) Transmitting naval officers' returns of vessels entered inwards and cleared outwards at Quebec between 10th October, 1809, and 5th January, 1810. 270

July 10, Quebec. Same to same. (No. 24.) Reasons for his delay in furnishing the information respecting the Indians, required by Lord Castlereagh in his despatch of 8th April, 1809. Encloses the information asked for in the form of questions and answers by officers of the Indian Department. 271

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Enclosed. Questions answered by J. M. Lamothe (in French). Page 273
Ditto by Charles de Lorimier (in French). 283
Ditto by Lt.-Col. F. D'Eschambault. 294
Ditto by Louis de Salaberry. 302
Ditto by Louvigny de Montigny. 306

ptember 12, wning St. Draft of letter to Craig. Despatches laid before the King. Will reserve for separate consideration the state of the ecclesiastical establishments, both Catholic and Protestant. Some observations are necessary on the subject of the application of the surplus fund raised for the erection of jails. Under any circumstances, the offer made in the House to provide for the future charge of the civil establishment of the Province would have required scrutiny, but in the present temper of the Assembly there can be no doubt that the object is to increase the powers of that body by assuming the control of the public supplies. Can hardly suppose a case in which it would be proper to agree to any innovation of this kind without a previous reference Home and the formal sanction of the Crown. The arrangements for the better management of the police of Quebec and Montreal are approved. Has ordered a copy of the despatch respecting the disbursements on account of the extraordinary service of the forces in Canada to be transmitted to the Treasury. Under the circumstances, Mr. Uniacke's leave of absence and Mr. Bowen's appointment *ad interim* is approved. The recommendation of Mr. Justice de Bonne for a seat in the Legislative Council will be submitted to His Majesty. 311

Governor Craig and Miscellaneous, 1810.

Q. 113.

1809. ecember 18, dmiralty ffice. John Barrow to Harrison. Capt. Henniper of H.M.S. "Mermaid" has notified the Lords of the Admiralty that the plate, &c., for the Metropolitan Church at Quebec, had been delivered to the Bishop through the Governor in Chief. (In Harrison's of 13th January 1810.) 104

1810, anuary 8, ondon. John Black to Adam Gordon. Transmitting copies of sundry documents on the subject of the Forges of St. Maurice, the originals of which he has shown to the Duke of Kent, who has promised to use his influence with the Earl of Liverpool to further his cause. Also transmits copy of a patent for the Township of Dorset, issued in his (Black's) favour with forty-three associates. Sends this patent to do away with the idea that he had received a larger grant than is usual. 99

anuary 13, reasury hambers. Harrison to Lt.-Col. Bunbury. In answer to letter from Craig stating that the plate for the Metropolitan Church had not been received, encloses copy of a letter from Mr. Barrow on the subject. 103
(Enclosure calendared at its proper date.)

anuary 20, uebec. Ryland to the Attorney General. Enclosing extract of minutes of Council. Desires he will prepare draft of a lease to Monro and Bell of the Forges of St. Maurice as therein ordered. Encloses also copy of the terms and conditions of the lease as specified in the advertisement in *Quebec Gazette.* 188
Enclosed conditions of the lease. 189
Letter from Ryland to the Attorney General directing that a new draft of the lease be prepared as the Committee altogether disapprove of that submitted. 192
Extract from report of a committee of the whole Council. 193
Opinion of the Attorney General of Nova Scotia, Mr. Uniacke, upon the draft of the lease. 198

1810.

January 27, Quebec. Norman Fitzgerald Uniacke, Attorney General, to the G General. Respecting the propriety, under existing circumstanc controlling power over the trade at present carried on between and the States. P

January 27, Whitehall. The Lords of the Council direct that Mr. Grece wait on them meeting on the subject of Danish and Swedish vessels.

February 7, Quebec. Attorney General Uniacke's opinion as to the effect of not pass temporary Act regulating the trade with the United States.

February 14, Treasury Chambers. Harrison to the Hon. Cecil Jenkinson. Transmits the account Receiver General of Canada from 11th October, 1808, to 10th Apr with report on the public accounts for the same period for Lord pool's observations thereon.

February 18, Maidenhead. Lady Dorchester to ———. Asking that he (———) use his in to obtain her son a staff appointment.

March 10, Treasury Chambers. Harrison to Cecil Jenkinson. Transmitting the requisition for presents for Lower Canada, for 1811, together with the propose blishment of the Indian Department, for Lord Liverpool's thereon.

March 25, Whitehall. Stephen Cottrell to John Wm. Grece. Informs him that B Swedish, and Danish vessels bringing cargoes belonging to these or any other not at war with Great Britain, to any of her ports s protected while so employed. Instructions have been given and will be granted.

April 14, Treasury Chambers. Harrison to Cecil Jenkinson. Transmitting for Lord Liverpoo nion thereon an application from Mr. Claus, Deputy Superin General of Indian Affairs, for an increase to his salary.

June 7, Quebec. Bishop (Anglican) of Quebec to ———. Encloses a represe which he (the Bishop) lately made to Craig, respecting the ecc cal affairs of this province. Takes this opportunity of submitti result of an application made by him for lands. The documents to the application are enclosed and comprise four papers mark F.

Enclosed. Representation on the state of ecclesiastical affairs,

Two documents accompanying the above, both extracts fr Council Minutes. 1

Papers respecting his application for lands marked C to F. 139, 141, 1

June 8. John Black to Cecil Jenkinson. With his memorial for lands accompanying documents.

Enclosed. The memorial.

Accompanying documents. 148, 150, 152, 1

July 16. William Parker to Robert Peel. Enclosing a memorial from Crawford asking to be appointed to the vacancy in the Court of Bench.

Enclosed. The memorial.

July 21, St. Johns, Nfd. Isaac Coffin, Vice Admiral, to Liverpool. Requesting his (Live favourable consideration of the memorial in behalf of the widow uncle, the late John Coffin.

July 31, Plymouth Dock. Ryland to same. Has arrived in port with despatches to be d in person, but finding it impossible to proceed till next day, sen by mail, and will wait on him as soon as possible. At the tim leaving Quebec the measures pursued by Craig had placed the p in a state of tranquility, and no immediate danger of disturba apprehended.

August 1, Halifax. Richard John Uniacke to ———. Asks that his son, Norm gerald, be returned to his office.

Craig to Liverpool. Respecting a suit for wages instituted by three seamen against their captain. Page 3

Enclosed. Documents relating to the proceedings. 4 to 42

Same to same. (No. 25.) Enclosing certified copy of the rates of exchange and current prices at Quebec for June and July last. 43

Enclosed. Quebec prices current for June. 44

Enclosed. Quebec prices current for July. 47

John Black to R. Peel. Enclosing copy of his petition for lands, to be laid before Lord Liverpool. 203

Enclosed. Memorial. 145

Paper signed V. Gibbs and endorsed "C. Answers to the Queries in papers marked B and A." 204

John Black to ——— Wilmot, private secretary to Lord Liverpool. Asking for his good offices in procuring him a situation. 207

Same to Adam Gordon, Secretary of State's Office. Asks for his good offices in procuring him a situation. 209

Norman F. Uniacke, Attorney General, Lower Canada, to Col. Bunbury. For an audience with Lord Liverpool. 212

Nat. Atcheson to R. Peel. Enclosing memorial from the merchants interested in the trade and fisheries of the British North American Colonies, for Lord Liverpool's consideration. 213

Enclosed. The memorial. 214

Craig to Liverpool. (No. 26.) Transmitting naval officers' returns of vessels entered inwards and cleared outwards at Quebec between 5th April and 5th July last. 50

Draft of a letter to Craig. (Confidential.) On matters relating to the constitution of Lower Canada. 51

Ryland to Gordon. Requests he will have the goodness to forward the letters sent, with the despatches leaving for Halifax in October. 218

Craig to Liverpool. (No. 27.) Some account of the works being carried on at Quebec. 67

Memorial of Jane and Sarah Lees. 219

Craig to Liverpool. (No. 26.) Enclosing certified copy of rates of exchange and current prices at Quebec for August and September last. 60

Enclosed. Quebec prices current for August. 61

Ditto for September. 64

Craig to Liverpool. (No. 28.) Since the departure of Mr. Ryland the province has been in a state of perfect tranquillity. An effort was made to obtain the implements of the printing office in order to resume the seditious publications; he (Craig) prevented these designs by buying in the press, &c., at auction, though the bidding was high; intends to dispose of it again to different printers. Attributes the quiet in a great measure to the discontinuance of the paper. The expiration of the Alien Act has allowed some known characters to return from France. The harvest bad this year. Arrangements for procuring meat, &c. Has received applications from some Highland families for lands. 73

Same to same. (Private.) Has received his (Liverpool's) commands by Mr. Percival, to whom he will show all civility. 82

Same to same. (No. 29.) Enclosing requisition for stationery for the Civil Department, Lower Canada, for 1811. Requests that the same may be sent out as early as possible. 79

Enclosed. Requisition. 80

Same to same. (No. 30.) Enclosing requisitions, and proposed establishment of the Indian Department. 83

1810.

Enclosed. Requisition for Indian presents, Lower Canada, for 1811. Page 84

Ditto for stationery for the Indian Department, Lower Canada, 1811. 86

Proposed establishment of the Indian Department, Lower Canada, for 1811. 87a

November 10. Simon McGillivray, of the firm of McTavish, Fraser & Co., to Liverpool. Enclosing copies of documents transmitted to the Marquis of Wellesley from the committee of British merchants interested in the trade and fisheries of His Majesty's North American Colonies. Remarks. 221

Enclosed. Documents. 224, 228, 231, 243, 244.

November 14, Quebec. Craig to Liverpool. (No. 30.) Transmitting copy of the proceedings of the Executive Council of Lower Canada on Matters of State between 19th March and 7th August, 1810. 88

(Letter dated 6th November, is also numbered 30.)

November 19 Quebec. Same to same. (No. 31.) Despatches received. The subject of the post office here has long been open to great complaint. Had hoped a surveyor would have been sent out; but the Postmaster General here was ordered to make a report instead; his ideas about bridges, roads, &c., were good, but he quite overlooked the state of the country, which in many cases prevents any improvements; he also dwells upon the difficulty of managing the postmasters, the control of whom seems to belong to the Director of Posts, which situation is at present vacant. Difficulties in arranging the Halifax mails. 89

November 19, Quebec. Same to same. (No. 32.) Had enclosed a demand for Ordnance stores in January, 1808, was informed that they had been loaded, but affairs in Spain taking a sudden turn had been sent there instead. Asks that the requisition be filled as soon as possible. 94

November 23, Quebec. Same to same. (No. 33.) A communication from Mr. Morier, at Washington, and an attentive consideration of affairs has strongly impressed him with the idea that war is probable. Under this conviction thinks it right to resign his command, as he has not recovered his health sufficiently to undertake the extra exertion which hostilities would call for. Will cheerfully sacrifice his wish for retirement if it is considered he can be of use. 95

December 23, Reigate. John William Grece to Liverpool. Memorial asking for a grant of land. 249

December 26, Grosvenor Square. Earl of Harrowby to Peel. Recommends Mr. Grece for an allotment of land. 246

1811.

January, Downing St. Draft of a letter to Craig. (No. 8.) Letter of the 23rd November received. Regrets that indisposition will prevent him (Craig) from undertaking the extra responsibilities caused by the unsettled state of the country, owing to His Majesty's illness is unable to give any instructions, but hopes he will not be inconvenienced by holding the appointment till arrangements can be made. 97

No date. Memorial of Jane Lynd, asking for a renewal of her lease of a farm called Belle Ville near Quebec. 101

No date. Attorney General Uniacke's draft of a proclamation of general pardon in honour of His Majesty's jubilee to all prisoners except those detained for treason or murder. 257

No date, Quebec. Attorney General Uniacke's opinion upon John Mure's lease of part of the King's wharf. 259

No date. Attorney General Uniacke's opinion as to the resolution to be made upon *lods et ventes.* 261

No date. Attorney General Uniacke's opinion to the Trinity House respecting

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ate. the power within its jurisdiction to make a table of fees for the affairs of the corporation. Page 264

ate. Attorney General Uniacke's opinion on the case of a lunatic, the wife of Sergeant Richards, R.A. 267

ate. Attorney General Uniacke's opinion to Col. Kempt, Adjutant General, respecting the wages of seamen. 269

Attorney General Uniacke's draft of a lease of the Forges of St. Maurice to Munro and Bell. 271

Governor Craig, Acting Governor Dunn, Governor Sir G. Prevost, 1811.

Q. 114.

1810.
y 9, M. Elliott to William Claus. Indians to the number of 125 arrived
erstburg. here. They are unanimous in saying they will wait the King's commands either for peace or war. Advised them to be peaceable towards all nations and each other, and supplied them liberally with presents. 66

(In Craig's of 29th March.)

ber 16, Same to same. Enclosing heads of what passed at the Council at
erstburg. Brown's Town, except the answer of the Hurons, who accused the Six Nations of perfidy on almost every occasion, telling them they should keep their speeches concealed and not circulate them among their brother Nations. Red Jacket's mission appears to have failed. The Indians ripe for war, they consider they have been trampled upon by the Americans. Dreads they may commence hostilities themselves, and our government be blamed for encouraging them. Red Jacket and others have proceeded to Detroit where Governor Hull furnished them with a boat to carry them home. Had treated his party with coolness. Wants directions as to those who left the Grand River. 68

Enclosed. Substance of speeches at the Council at Big Rock. 70

(In Craig's of 29th March, 1811.)

vember 16, Same to same. Enclosing speech of the Shawanese Prophet, which
herstburg. fully convinces him our neighbours are on the eve of an Indian war. In answer to their demand for supplies has told them their speech will be laid before their great father. Requests instructions as to how the Prophet and his adherents are to be treated. Has already served 6,000 with their annual presents and the provisions expended to 24th ult. has amounted to 70,770 rations. Reasons for the extra outlay. Asks for flags. 18th Nov. Since writing the foregoing has had a private conference with the Prophet's brother who said that at first they intended to keep their plans secret but as Governor Harrison has pushed them to avow their intentions they have decided now to disclose them. Frederick Fisher died on the 12th inst. 74

Enclosed. Speech of the Prophet's brother. 77

(In Craig's of 29th March, 1811.)

ember 29, Gore to Craig. Enclosing letters from Capt. Elliott, Superintendent
k. of Indian Affairs at Amherstburg, and speeches from Red Jacket and the Prophet's brother. Asks for instructions. 65

(In Craig's of 29th March, 1811.)

1811.
uary 9, Craig to Liverpool. (No. 33.) Enclosing certified copy of rates of
bec. exchange and current prices at Quebec for October and November last. 2

Enclosed. Quebec prices current for October. 3

do November. 6

ruary 2, Craig to Gore. His letter of the 29th December did not reach here
bec. till the 30th ult. Thinks upon consideration that our policy is to prevent a rupture between the Indians and the United States. A war so near

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our frontiers would be very inconvenient in every way, a
expose us to suspicion on the part of the Americans, whi
sooner or later involve ourselves. The bad effects inevitably
such a war. The Indians must be advised that to avoid hostility i
own good. They must be carefully managed. Wishes Capt.
letters were a little more explicit as he neither knows to what
Jacket belongs nor in what mission he failed of success.

(In Craig's of 29th March, 1811.)

February 26, York. Gore to Claus. He (Claus) is to instruct Elliott to be m
usually circumspect in his communications with the Indians
leave no possible suspicion of favouring their projected hostiliti
the United States. He is to impress upon the Indians the ce
misfortune to themselves in any attack upon the Whites, and
their father's regard for them which induces him to advise
maintain peace. They must be delicately managed.

(In Craig's of 21st May.)

February 27, Quebec. Craig to Liverpool. (No. 34.) His failing health will comp
give up the Governorship and leave Canada at the first opport

March 2, York. Gore to Craig. Letter of the 3rd February received. H
time in directing the Deputy Supt. General of Indian Affairs t
and restrain the Indians from committing any act of hostilit
white inhabitants in the neighbourhood. Encloses copy of his
Col. Claus. Red Jacket is a Seneca residing on the American
late visit to the Westward was for the purpose of drawing
Indians from the British to the American interest. The
Indians were indignant and Red Jacket had to fly to save his l

(In Craig's of 21st May.)

March 28, Quebec. Craig to Liverpool. (No. 35.) Enclosing copies of speeche
opening and closing of Provincial Parliament. The session ju
much quieter than he had reason to expect. Gives a general id
temper of the House.

Enclosed. Speech delivered by Craig on the opening of th
ment: English, 23; French, 26.

Answer from the Legislative Council English 30, French 34.

Answer from the Legislative Assembly: English, 38; French,

Speech on closing: English, 52; French, 56.

March 29, Quebec. Craig to Liverpool. (No. 37.) Enclosing letter with enclosu
Lt.-Gov. Gore on the subject of the Indians, together with hi
to Gore, in which he details his reasons for wishing to discoura
lities on the part of the Indians towards the Americans. The
to have made up their minds as long ago as last November
recourse to arms. By way of avoiding the horrors of an In
had communicated with Mr. Morier, giving him permission to
inform the American Government, which he did. Reinforcemer
sary in Upper Canada should hostilities take place.

(Enclosures calendared at their respective dates.)

March 29, Quebec. Same to same. (No. 36.) Notwithstanding the observatio
(Liverpool's) despatch, No. 7, of 12th September, 1810, he has bee
to give His Majesty's assent to an Act for continuing the duties
by that of the 45th of His Majesty. The fund arising therefrom
appropriated to erecting a proper building for the meeting of t
lature. The general favour with which this Act is looked u
compelled him to assent to it.

April 3, Quebec. Same to same. Enclosing certified copy of rates of exch
current prices at Quebec for February and March last.

Enclosed. Quebec prices current for February.

Ditto for March.

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1 18, ec.

Craig to Liverpool. (No. 38.) Hazards enclosed triplicate of a document by an insecure conveyance as he is afraid neither the original nor the duplicate which he sent to Mr. Barclay at New York have arrived. His health unimproved. Page 90

(No enclosure.)

5, ec.

Same to same. In reference to his despatch of 6th November last, No. 27, describing the states of the barracks and hospitals in Quebec, reports that he contemplates erecting a building to accommodate some of the officers as the townspeople charge them most exorbitant rents for their lodgings. A hospital is also a necessity. Has looked for a site, but the grants here have been so numerous as not to leave a single lot to Government, within the walls, eligible for the latter object. Has therefore considered the house and lot belonging to Mrs. Elmsley, and now for sale, and appointed a board of officers to report. £4,000 the price demanded. Encloses report, which was so favourable that he ordered the purchase to be made. The officers' quarters are nearly completed, and the foundation dug for the hospital. 91

Enclosed. Report of a board of officers. 94

Order to call the board of officers. 99

Report of W. Somerville, Deputy Inspector of Hospitals, on the necessity of a new hospital building. 101

Plan of the late Chief Justice Elmsley's house. 103

Statement as to value of the late Chief Justice Elmsley's house. 103

21, ec.

Craig to Liverpool. (No. 39.) In despatch No. 36, he thought it right to warn him (Liverpool) of the hostile intentions of the Indians of the Upper Country towards the Americans and of the steps taken in the matter. Encloses two letters from Lt.-Gov. Gore and also copy of his (Gore's) instructions to the Deputy Supt. of Indian Affairs. 105

(Enclosures calendared at their respective dates).

31, ning St.

Draft of a letter to Craig. From the circumstances stated in letter of 23rd November, it is thought advisable to authorize him (Craig) to deliver over to Sir George Prevost the authority with which he is vested, who has been instructed to hold himself in readiness to proceed to Canada upon the first intimation he may receive of his (Craig's) intention to relinquish the government. Transmits an additional instruction to be used if necessary for placing the officer in command of His Majesty's Forces in Canada for the time being next in rank to the Lieut.-Governor in the list of the Council; a successor under any contingency, would thus be provided. His continuance in the Government left to his own discretion. 111

18, ec.

Craig to Liverpool. (No. 38.) Transmitting copy of proceedings of the Executive Council concerning matters of State between 8th August, 1810, and the 11th March, last, also concerning the Waste Lands of the Crown between 29th January, 1809, and 11th March last, together with a copy of the proceedings in the Executive Council relative to petitions for leases of the Crown and Clergy Reserves between 29th January, 1809, and 11th March last. 113

e 18, bec.

Same to same. Transmitting naval officers' returns of vessels entered inwards and cleared outwards at Quebec between 5th January, 1810, and 5th January last. 114

ne 18, ebec.

Same to same. (No. 39.) Transmitting copy of the Journal of the Legislative Council together with the exemplifications, agreeably to the enclosed schedule of the several Acts passed in the last session of the Provincial Legislature; also some printed copies of the same and of the Journals of the House of Assembly. Copy of an Act for erecting a jail in the District of Three Rivers and for providing the means for defraying the expense thereof is also transmitted for his Majesty's approbation. Recommends this as jail as indispensably necessary. 115

Enclosed. Schedule of Acts passed. 116

1811.
June 18, Quebec. Same to same. (No. 41.) Enclosing certified copy of the rates of exchange and current prices at Quebec for April and May last. Page 121
Enclosed. Quebec prices current for April. 122
Ditto for May. 125
June 20, Quebec. Thomas Dunn to Liverpool. (No. 1.) Craig sailed for England on the 19th inst., therefore the government has devolved on him as oldest Protestant member of the Executive Council. Craig's unremitting attention to civil matters has left little to be done just now. 128
July 5, Downing St. Draft of a letter to the officer administering the Government. Six months additional leave has been granted to Attorney General Uniacke. 130
July 13, Downing St. Draft of a letter to Craig. (No. 13.) Lieut.-Governor Gore having requested leave to return to England on his private concerns, the Civil Administration is to be placed in the hands of the senior military officer during his absence. Transmits an instrument authorizing this arrangement. The selection of a proper officer left to his (Craig's) selection. 131
July 28, Downing St. Draft of a letter to the officer administering the Government in Lower Canada. The Prince Regent entirely approves of Craig's management of the Indians hostile to the United States, and desires that the same methods be persevered in. 110
July 29, London. Craig to Liverpool. He landed in London on the 28th inst. Had embarked at Quebec on the 19th June, leaving the Government in the hands of Mr. Dunn. Reasons for selecting that gentleman. Only the very infirm state of his health could have induced him to give up his charge. His malady will not at present allow him to pay his respects to him (Liverpool.) 132
July 31, Downing St. Draft of a letter to Craig. (No. 15.) His despatch of the 29th inst. has been submitted to the Prince Regent, who considers him in the state of his health to have been perfectly justified in acting as he did, and regrets the cause which compelled him to solicit the appointment of a successor. 134
August 2, Quebec. Dunn to the Chief Justice. Having received a memorial in behalf of John Stephenson, respecting 201 chests of tea refused entry at the post of St. Johns, and a letter from the collector of that post, corroborating his statement, he takes this opportunity of desiring that the opinion of the whole Council be asked as to the propriety of adopting the enclosed or some other form of proclamation making public the prohibition of the statute 7th Geo. I., sec. 9, which would probably have the effect of checking the import of prohibited goods and saving much trouble to the Custom House officers. If the Committee do not consider a proclamation advisable, asks to be informed what course is to be pursued. 157
Enclosed. Memorial of John Stephenson. 159
The proclamation (not adopted). 161
August 10, Quebec. Dunn to Liverpool. (No. 2.) The important despatch of the 6th April relative to the enforcing of the statute of the 7th George 1st, received on the 13th July. Had submitted it with its enclosures to a committee of the whole Council. Encloses copy of the minutes on the same. Encloses also a quarterly statement showing the amount of East India produce imported from the United States by way of St. Johns. The vicinity of this post to the frontier affords daily opportunities for importation. Has ordered that no seizure be made of East India goods until after the 24th inst., when the instructions will be carried into effect. Encloses proclamation and Order in Council on the subject. 135
Enclosed. Copy of minutes of Council. 137
Statement of imports and exports at the Port of St. Johns. 144
Proclamation: English, 147; French, 149. 147, 149
Order in Council: English, 151; French, 154. 151, 154
August 21, Downing St. Draft of a letter to the Officer commanding in Lower Canada. Transmitting copy of memorial from Jane and Sarah Lees for a grant of land

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to which their brother, John Lees, had a right as a member of the Executive Council. The propriety of laying an attachment upon the property will be determined by the progress made towards the final settlement of Mr. Lees's accounts and by ascertaining whether he is actually indebted to the province. Page 163

...ust 26, ...ec. Dunn to Liverpool. (No. 3.) Despatch of 23rd April received and laid before a committee of the whole Executive Council for their opinion and advice. Encloses copy of the minute of the proceedings thereon. The proclamation he recommended was issued on the 12th inst. Minute of proceedings of the Council relative to the prohibition of gunpowder, arms, etc., being exported without license. 165

Enclosed. Draft of the proclamation. 167

...ember 23 ...ec. Sir George Prevost to same. (No. 1.) Arrived in Quebec on the 13th inst. Assumed the Civil Administration and command of the forces. Will proceed immediately to Montreal and the military posts in the neighbourhood to acquire a necessary insight into the military resources of the country. Will, on his return, represent some necessary objects for the commands of His Majesty. 170

...ember 24, ...ec. Same to same. (No. 2.) Despatch No. 9 received. Will make a full communication on the subject mentioned therein when he returns from the interior of the country. In the meantime has ordered two officers to proceed from Halifax to Quebec by land, and from their report he will be furnished with matter of observation upon the statement of Mr. Heriot, D.P.M.G., forwarded to him. Despatches Nos. 10, 12 and 13 received. Shall issue to Mr. Ryland the amount of his expenses contained in despatch No. 12. That addressed to Lieut.-Gov. Gore enclosed in No. 13, has been forwarded. Has selected Major General Brock as the fittest person to undertake the Civil Administration of Upper Canada upon the departure of Gore, and he has consequently been ordered to proceed immediately to Upper Canada. Wm. Thomson, Deputy Commissary General, has received leave of absence as clerk of the Crown and prothonotary in Nova Scotia, and is to proceed to Quebec to audit the accounts. 172

...ber 3, ...uing St. Draft of letter to Prevost. Robert Gilmour has been promoted to be Deputy Assistant Commissary General to the Forces. 175

...ber 3, ...ec. Return of camp equipage remaining in store at Quebec. 181

...ber 4, ...ec. A. H. Pye, Deputy Quartermaster General. Enclosing a return of the camp equipage in Quebec. 180

...ber 10, ...ec. Prevost to Liverpool. (No. 3.) Reporting the death of Mr. de Lanaudière, a member of the Legislative Council and Grand Voyer of Lower Canada. Has appointed Mr. Baby, Adjutant General of Militia, Grand Voyer, on his resigning the military position. He was becoming too infirm and efficient officers are absolutely necessary at this critical time. Has promoted the Deputy Adjutant General and appointed a brother of Mr. de Lanaudière to be deputy. Hopes these appointments will be approved. 176

...ber 11, ...ec. Same to same. (No. 4.) Asks to be allowed to issue an allowance in lieu of forage for the horses of the Adjutant General and Quartermaster General of the Militia in Lower Canada. 178

...ber 13, ...ec. Same to same. (No. 5.) Encloses a report of the quantity and state of the camp equipage in His Majesty's magazines in this garrison. Suggests that in the present state of relations with the United States a supply of camp equipage of the new pattern complete for 5,000 men be sent out as early next season as possible. 179

(Enclosures calendared at their respective dates.)

...ber, 21 ...ec. Sewell to Prevost. The death of Mr. de Lanaudière makes it necessary to draw attention to the present state of the Legislative Council, as he fears the business next session will be delayed for want of a quorum

1811.

if some new members are not appointed. Transmits list of the stating the present residence of each member.

October 21, Quebec. Same to same. On the state of the police at Three Riv recommends Mr. Coffin to be chairman of the sessions.

October 22, Quebec. Prevost to Liverpool. (No. 6.) Chief Justice Sewell, as Speak Legislative Council, has represented that owing to the great serious infirmities of several members, inconvenience h caused; recommends that John Richardson, Jean Baptiste E Rouville, John Caldwell, Ignace Aubert de Gaspé, James C Charles Gaspard de Lanaudière, Jacques Perrault and Charles Grant be appointed members. Encloses descriptive return of t lative Council, also Sewell's letter.

Enclosed. List of members.

(Sewell's letter calendared at its proper date.)

October 24, Quebec. Same to same. (No. 7.) Enclosing representation from t Justice on the state of the police at Three Rivers. Has appointed Coffin to be Chairman of the Quarter Sessions there with a salar a year. Hopes it will be approved.

(Enclosure calendared at its proper date.)

October 28, Quebec. Same to same. (No. 8.) Enclosing return of small arm Ordnance store at Quebec. Arms and accoutrements suffic 10,000 men necessary next Spring. Has recommended Lieut Deschambault for the brevet of Colonel and to be substituted f the absent Inspecting Field Officers belonging to the Canadi Concluding he was to finish all works begun by Craig, given orders to that effect. Asks for authority to put up s quarters in this garrison.

Enclosed. Return of small arms, &c.

October 31, Quebec. Extract of a letter from Lieut.-Colonel Bruyères, Royal E to the Military Secretary. Respecting the works being carri the Royal Engineer Department.

November 7, Quebec. Prevost to Liverpool. (No. 9.) Enclosing memorial of John Receiver General of Lower Canada. Recommends it.

Enclosed. The memorial.

November 7, Quebec. Same to same. (No. 10.) On the 22nd October he had sent a s of the Legislative Council, now encloses one of the Executive an increase in the number of members is necessary. Rec Antoine Louis Juchereau Duchesnay, James Kerr, Ross Michael Henry Percival, John Muir, Oliver Perrault, and Wm. Coltman.

Enclosed. Descriptive list of the Executive Council.

November 7, Quebec. Same to same. (No. 11.) Enclosing extract from the Com Engineer's report, showing that besides the works begun, bar necessary at Quebec. Has applied for a detachment of Royal artificers to assist the Engineer Department. Hopes the ap will have his support.

(Enclosure calendared at its proper date)

November 9, Quebec. Same to same. (No. 12.) Transmitting Naval officers' r vessels entered inwards and cleared outwards at Quebec to 5th J

November 9, Quebec. Same to same. (No. 13.) Enclosing requisition for stationer Civil Department of Lower Canada for 1812.

Enclosed. Requisition.

November 9, Quebec. Same to same. (No. 11 B.) Enclosing the following requisi

Enclosed. Requisition for goods to complete the Indian pr Lower Canada for 1812.

The same for Upper Canada.

Requisition for stationery for Indian Department, Lower Ca *1812.*

Proposed establishment of the Indian Department, Lower Canada for 1812. Page 215

Ditto for Upper Canada. 216

Requisition for provisions and rum for the Indians in Upper Canada for 812. 217

List of persons holding pensions in the Indian Department of Upper Canada. 218

Draft of letter to Prevost. (No. 1.) Despatches received. The necessary instruments are preparing for the appointment of the persons recommended to be members of the Executive and Legislative Councils, and will be forwarded as soon as completed. The appointments spoken of in despatch No. 3 are approved of. He is to issue an allowance in lieu of forage for the horses of the Adjutant and Quartermaster General of Militia. The appointment of a chairman to the Quarter Sessions at Three Rivers approved. 224

Same. (No. 2.) Approves of Mr. Thomson's proceeding to Quebec to audit the army accounts. 174

Same. (No. 4.) Despatches respecting the fortifications received. Approves of such works as are in hand being carried on. Urges economy. No estimate of the expense of the barracks received. Asks that it be sent as soon as possible. 207

Same. (No. 7.) Orders have been given that the requisitions sent are to be filled and sent to Quebec on the first opportunity. Is anxious for a report on all matters relating to the military defence of the province. Any observations on the measures to be adopted in case of attack, the fortifications, militia, &c., would be received with great interest. 219

Governor Sir George Prevost and Miscellaneous.

Q. 115.

Inventory of real and movable property and debts belonging to the estate of the late Henry Taylor in the possession of Johnston and Purss. 236

Report of the auditors on the accounts rendered by Johnston and Purss regarding their management of the estate of the late Henry Taylor. 226

Report of the plaintiff to the judges of the Court of Common Pleas on the accounts of Johnston and Purss, and report of the auditors made to the Court last January. 239

Enclosed. Accounts due Johnston and Purss by the estate of the late Henry Taylor. 246, 249, 250

——— to Liverpool. Memo. of despatches from Craig concerning waste lands of the Crown. 140

P. Langan to Gore. On the subject of his claim to some islands near Kingston. 161

Enclosed. 1st, Report of the Committee for examining applications made for lands. Extracts concerning Grande Isle and adjacent islands, dated 12 Dec., 1788. 165

2nd, Report of the Fund Committee. 170

Extract of the minutes of Council respecting Grande Isle, dated 9th November, 1789. 172

Report of a Committee appointed in 1789, to examine report of the Land Committee on the claim to Grand Isle. 173

Extract from the will of the late James McGill concerning the legacy for founding a university in Lower Canada. 17

1811.
January 9, Treasury Chambers. George Harrison to Robert Peel. Transmitting accounts of the late Receiver General of Lower Canada from 10th October, 1809, to 29th May last, for Lord Liverpool's observations thereon. Page 24

January 24, Treasury. Same to same. Transmitting a requisition for Indian presents, together with the proposed establishment of the Indian Department for 1811, received from Craig, for Lord Liverpool's opinion thereon. 25

February 2, Whitehall. W. Fawkener to ———. The Committee of Council for Trade and Foreign Plantations having had under consideration a memorial from the merchants interested in the Trade and Fisheries in the British North American Colonies, stating that the Act of the 28th of His present Majesty, Ch. 39, passed to encourage trade between Canada and the West Indies, has not produced the effect intended as stated in an address of the Assembly to the Governor, 27th February, and the report of the said Assembly of the 2nd March, asking that the said Act be repealed, have directed him to enquire whether the Governor transmitted these proceedings to the Secretary of State and whether he expressed any opinion thereon. 26

Enclosed. The memorial. 28

Extract from the proceedings of the House of Assembly. 29

February 7, Whitehall. Same to R. Peel. The Lords of the Committee of Council for Trade after considering the memorial of the British merchants, praying that East Indian and other foreign goods be prohibited from entering Canada through the United States, have decided that the provisions of the Act of 7th Geo. I., Stat. 1, Ch. 21, Sec. 9, are sufficient to prevent all foreign goods except those from Great Britain from entering the country. 38

Enclosed. The memorial. 40

Extract of a letter from James Irvine, Chairman of the Committee of Trade at Quebec, and John Richardson, Chairman at Montreal, dated 1st May, 1810, to Nathaniel Atcheson, respecting trade. 44

Nathaniel Atcheson to Thomas Lack, enclosing a letter from Wm. Goodall to be sent in with the memorial. 48

The letter from Mr. Goodall. 49

February 11, London. Ryland to Peel. Brings to his recollection some points relative to the Colonial politics of Lower Canada upon which a final decision would be of the highest importance to the interests of the Crown in that province. Encloses a paper on the subject. 51

Enclosed. The paper. 53

February 12. F. Freeling to same. Has had a correspondence with the Postmaster General of Canada on the subject of a memorial from the merchants praying for a better regulation of the posts in Upper Canada. Has transmitted the official points to the Board of Trade through which the memorial was presented. Encloses parts of the correspondence, not considered as official, as a confidential communication to Lord Liverpool. 59

Enclosed. Extract of letter from George Heriot, D.P.M.G. 60

February 19, London. Ryland to same. Transmits copy of a paper received by him from the Lord Bishop of Quebec, Mr. Joseph Octave Plessis, which he considers a gross violation of the prerogatives of the Crown. 62

Quebec, 25th October, 1810. Mandate of the Lord Bishop of Quebec, referred to in the above letter, ordering that public prayers be said in Roman Catholic Churches after parochial mass for the delivery of the Pope who is kept a prisoner in the fortress of Savona in Italy. 64

March 13, London. Ryland to Liverpool. As the time approaches for his return to Canada, gives an account of the extraordinary expenses attending his mission to England. Encloses memorial and statement. Refers to the points on which he wrote on the 11th and 19th of February. If steps are not speedily taken for strengthening the executive power, and giving the Crown due influence over the Roman Catholic clergy, trouble may result. Difficulty of combining the English and French inhabitants against

common enemy. He is only actuated by a sincere desire for the good of Canada in any observations he may make. Page 70
Enclosed. The memorial of Ryland. 73
Statement of expenses. 75
Ryland to Peel. (Private.) Will be out of town for a few days but will return if required on business. Letters to be addressed to Northampton. Is satisfied with the determination to refer his memorial to Craig. 76
J. Kerr, Judge of the Court of Vice Admiralty, to Craig. Encloses an exposition of facts with some observations on the subject of the jurisdiction of the Court over the River St. Lawrence, which may render the decision more easy for the King's advocate and attorney. Since his interview a judgment has been rendered by the Court of King's Bench which still more unsettles the question, and may occasion confusion at a future time. 77
Enclosed. The exposition. 78
Thornton to Ryland. (Extract.) Sir James Craig desires him to say that all despatches have been received. He is unable to write himself, and finds his health absolutely requires that he should leave the country as early as possible. 150
(Enclosed in Ryland's of 15th June.)
Ryland to Peel. Enclosing papers relating to the powers that are assumed by the Roman Catholic Bishop of Quebec. 92
Enclosed. (*A.*) Quebec, 22nd February, 1805. Copy of a report made by Lieut.-Governor Milnes of a cause between Mr. Bertrand, curate of St. Antoine, and one of his parishioners, named Lavergne, who had refused to furnish *pain bénit* to the new church of St. Léon. 96
(*B.*) Quebec, January, 1805. Statement of the pleadings in the said cause before the Court of Appeal previous to the Attorney General's being ordered to be a party to the suit. 99
(*C.*) Quebec, 11th November, 1806. Copy of the reasons of intervention on the part of the Crown which the Attorney General afterwards filed in the Court of Appeals. 105
(*D.*) Quebec, 10th September, 1810. Extract of a letter received from the Governor in Chief in the month of October, 1810, containing one instance among many of the difficulties arising from illegal erection of parishes by the titular Roman Catholic Bishop of Quebec. 110
W. Fawkener to Peel. Encloses by direction of the Lords of the Committee of Privy Council for Trade, copy of a report from Mr. Heriot, the Deputy Postmaster General, on the subject of a memorial from certain British merchants respecting the interior communications in British North America. The report is to be transmitted to the Governor General for any observations he may deem proper. Encloses copy of the memorial. 112
Enclosed. Report dated 8th October, 1810, from George Heriot to F. Freeling, giving an account of the mode of communication and the expense attending it, hitherto adopted in the province. 113
Copy of the memorial. 121
P. Langan to Lt.-Col. Bunbury, stating his circumstances, and enclosing a memorial to Lord Liverpool, asking that he be confirmed in his appointment as Paymaster of Contingencies. 126
Enclosed. Copy of the general order appointing him paymaster. 129
The memorial. 130
Ryland to Peel. Stating some particulars concerning the Jesuit Estates in Lower Canada, which call for the attention of His Majesty's government. Proposing that the revenue arising from these estates be applied to educational ends. 133

1811.

May 10, London. Ryland to Peel. Respecting the money required to complete the Metropolitan Church at Montreal. Page 136

May 14. Same to ———. (Most private and confidential.) Was taken by surprise by the communication in Prevost's despatch of 13th inst. Encloses two letters as an additional motive for interesting himself in the matter. If he (Ryland) were to lose the secretaryship he would be badly off. 137

May 21. Memorandum on the annual establishment of the Indian Department in Upper and Lower Canada, including pensions, for the last 12 years. 139

May 29, Office of Ordnance. R. H. Crewe to Lt.-Col. Bunbury. The articles mentioned in the requisition for ordnance stores, dated 2nd December, 1807, have been ordered to be forwarded to Quebec. 141

May 31, Tottenham. John Wilmot to George Harrison. Returns letter from Peel enclosing an application from Major Coffin to be compensated for services rendered by his family at Quebec. Thinks they must have been referred to him by mistake, as he has no means of knowing anything about Major Coffin's pretensions. 142

(Enclosed in Harrison's of 13th June.)

June 4, London. Uniacke to Liverpool. For an extension of his leave of absence. 142

June 4, London. Ryland to Prevost. Hopes he will excuse the liberty he takes in writing. Craig's reasons for sending him to England have probably been made known to him; therefore thinks it right to lay before him (Prevost) his correspondence with the Secretary of State. Transmits copies of nine letters. A correct idea of the matter relative to the Government of Lower Canada now under the consideration of His Majesty's ministers may be drawn from them. The points of the greatest importance are the St. Sulpician or Seminary Estates at Montreal, and the assumption of the patronage of the Romish Church. If the business is got through in time will sail in the July packet. 182

June 7, London. Same to Peel. Cannot find among his papers the documents which would enable him to state the annual expense of the Indian Department, however, it can be easily ascertained. Encloses a rough calculation of the saving which might be made by substituting an allowance in cash to the Indians instead of presents of goods. An exact account should be obtained of the value of the annual presents given to each tribe before any offer be made to the Indians. Thinks about two-thirds of the actual value of the presents in cash would satisfy them. Hopes his suggestions may prove of some use. A P.S. states that Lord Castlereagh's despatch to Craig (No. 21, of 10th June, 1809), will show the great difficulty of obtaining a settlement of the Indian Storekeeper's accounts in Upper Canada. 143

Enclosed. Calculation of the saving to Government by giving money instead of presents. 146

June 13, Treasury Chambers. Harrison to Peel. Encloses letter from Wilmot of 31st ulto. The Lords Commissioners find that Major Coffin's family have no claim upon the fund for the relief of American Loyalists and do not know of any other source from which relief might be granted. 147

June 15. Ryland to same. (Private.) Encloses an extract of a letter from Lt.-Col. Thornton, Military Secretary, to Sir James Craig, as it contains some particulars respecting the General which he (Ryland) may be desirous of knowing. 149

(Enclosure calendared at its proper date.)

June 15, Reigate. John Wm. Grece to same. Asks that a day be appointed for an interview. 152

June 26, London. Thomas Daniel Cowdell to Liverpool. Asking a passage to British America for himself and his two sons. 153

Ryland to Peel. (Private.) Has at length had the good fortune to procure a copy of Sir J. Marriott's report of a code of laws for the province of Quebec, which he sends for perusal. Agrees with Marriott in all he has said concerning the province of Quebec. The importance of the Canadas both politically and commercially, increasing every day. Is glad to find that the Advocate and Attorney General are already provided with copies of this report. By pages 210 and 211 of that work he will see that so far back as 1773, the St. Sulpician estates at Montreal yielded a revenue of £8,000 sterling a year, in 1805 the produce is said to be only £3,750. If this is really the case, there can be no pretense for complaint should the Crown take upon itself the management of the property in question. Asks if any steps have been taken with respect to his memorial of 13th March. Page 155

Report of the law officers of the Crown on the assumption of the patronage of the Roman Catholic Church of Quebec, that is to say:—1st. Whether the right of presentation to vacant Roman Catholic livings in the Province of Lower Canada be vested in the Crown? 2nd. Whether the vested Crown has not the right of property in the estates of St. Sulpicians, commonly called the Seminary estates of Montreal. 176

P. Langan to Liverpool. Memorial for himself and for the Baroness of Longueuil, relict of the late David Alexander Grant. Respecting the title to Grand Isle, near Kingston. 158

P. Langan (Duplicate.) Letter accompanying his memorial to Lord Liverpool on the subject of his claim to certain islands. 197

Edward Couch, Deputy Commissary General, to Gordon. (No. 50.) Transmitting estimates of provisions required for Canada which General Drummond declined signing, owing to the uncertain state of affairs here. His statement in despatch No. 46, of 19th June, that all provisions except rice, could be procured here, was only meant to apply in times of peace. Should hostilities commence, the supplies, especially fresh meat and salt pork, would be very precarious, and a supply of the latter should be sent from England immediately on the declaration of war. Flour and meat have been procured from the States. 262

Ryland to Peel. (Private.) Asks that the accompanying letter be returned, with alterations and observations, if he appears to have taken too much upon himself. His object has always been to put the voluminous despatches into as compact a form as possible, for the consideration of His Majesty's Ministers. 181

Same to ————. Enclosing letter of thanks to Lord Liverpool. 186

Enclosed. The letter. 187

Drummond to Harrison. Enclosing general estimate and statement of provisions required to victual His Majesty's troops and others in Canada, from 25th December to 1st October, 1813. Rice to be sent as early as possible. Respecting the contract for beef. Should hostilities be apprehended, it would be policy to lay in a further supply of provisions of every description. 255

Enclosed. Estimate. 257

Statement. 258

Alex. McLeay to Peel. A passage to Canada will be provided for J. H. Smith, Loyalist. 188

Robert Pilkington, Lieut.-Col. Royal Engineers, to Right Hon. S. Percival. Enclosing his proposal to raise a corps of Highland emigrants for the service of Canada. 189

Enclosed. The proposal. 190

Richard Wharton to Peel. Is commanded by the Lords Commissioners of the Treasury to transmit letters from Craig, dated Quebec, 18th June last, enclosing account current of the Receiver General,

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together with a report of the committee of the whole Council on public accounts for the six months commencing the 11th April, 1810, for Lord Liverpool's observations thereon. Page 192

August 5 Montreal. P. Langan to Peel. Further respecting his claim to Grande Isle and adjacent islands. 193

August 8, London. Craig to same. Returns Mr. Langan's memorial with the accompanying papers. Considers his expectations most unreasonable. 201

August 8, Woodhall, near Edinburgh. Richardson to Gordon (?) Enclosing a memorial from the Misses Lees. 203

Enclosed. The memorial. 204

August 10, London. William Halden to Harrison. The Indian stores ordered by his (Harrison's) letter of 9th April, were shipped at Portsmouth on the 3rd and 7th instant. 212

August 19. Craig to Peel. Some observations on the memorial of the Misses Lees. 206

August 21. Major General Charles Grant, Viscount de Vaux, to Lord Liverpool. Memorial for a grant of land in the Isle of France instead of Canada. 208

August 22, Treasury Chambers. Harrison to Peel. Enclosing copy of a letter from Storekeeper General, dated 10th inst., reporting the shipment of the supply of Indian stores, for the information of the Earl of Liverpool. 211

(Enclosure calendared at its proper date.)

August 25, Saxmundam. T. S. Gooch to ———. Requests that Mr. James Jackson, who has a situation in the Army Paymaster's Department, in Canada, be given an order to the Governor for a grant of land. 213

August 26, Ordnance Office. Crew to Peel. Encloses an extract of letter dated 24th inst., from the Transport Board, relative to the tonnage required by the Board for the Ordnance stores to be transported to Canada. Does the Earl of Liverpool think it advisable to hire a transport or to detain them till next spring? 214

Enclosed. The extract. 215

September 4, Admiralty Office. Barrow to Lieut.-Col. Bunbury. The "Manilla" now ready to sail from Halifax to Portsmouth. What tonnage is required for the military stores for Quebec? 216

September 6, Whitehall. The Prince Regent in Council has approved of the drafts of three commissions for Prevost, and Lord Liverpool is ordered to have the documents prepared for signature. 217

September 11, London. Ryland to———. Sir George Prevost has signified his intention of continuing him in his position as secretary. Mr. Brenton is to fill the office till his return to Canada, which will be either in the winter or early next spring. After Prevost's appointment took the liberty of transmitting to him all particulars of his mission to England. Can he be of any service to His Majesty's interests in Canada? 218

September 14, Promotion of Robert Gilmor to be Deputy Assistant Commissary General. 220

(In Harrison's of 28 September.)

September 19, Montreal. Commissioners for building a Protestant church at Montreal to Craig. Stating that the £4,000 voted for building the Protestant church at Montreal is still unappropriated, owing to a mistake in the wording of the grant when Montreal is described as being in Upper Canada. The money is in the hands of William Dacre Adams, agent for the upper province. Asks that measures be taken to secure the money. 283

(In Craig's of 22nd November.)

October 5, Chelsea ollege. Lt.-Col. Mathews to Gordon. Takes the liberty of referring him to a copy of a memorial received from the Misses Lees, of Stirling, with their request that he would make enquiry at the Earl of Liverpool's office respecting the success of the original. He was acquainted with Mr. Lees, brother of the memorialists, who was a most useful officer. Mr.

John Black of Halifax has written to find out the success of Sir George Prevost's recommendation that he (Black) have a seat in His Majesty's Council of Nova Scotia. Lt.-Col. Bird has also written to enquire what has been done in consequence of his memorial respecting his father's claim for indemnification for his grant of land and buildings thereon at the mouth of the Detroit, taken possession of by government. In consequence of Lt.-Col. Bird's first memorial, this property was greatly undervalued at $1,200. Should Lt.-Col. Bird be disposed to accept, to save further trouble, desires to be informed if application may be made for payment thereof and in what quarter. He (Mathews) will wait upon him in a few days for information on these points. Page 221

J. C. Harries to Harrison. Enclosing copy of a letter addressed to Col. Gordon by Deputy Commissary General Couch, dated Quebec, 8th July, transmitting the annual estimates of provisions required for the troops, which owing to the uncertain state of affairs with the States, Major General Drummond declined signing. A great part of the provisions are drawn from the States; in the event of hostilities, Mr. Cronch suggests a supply of salt pork should be forwarded from England immediately on war being declared. 261

Thomas Charles Heslop Scott, late Chaplain to the 34th to———. Asking for assistance. 223

J. W. Gordon to Lt.-Col. Bunbury. Enclosing a memorandum from Col. Kempt, Q. M. G., in Canada, from which it appears that Capt. Gray has obtained for the Secretary of State's use at great expense and labour, certain plans, &c., of the topography of Canada. Asks that he be remunerated. 251

Memo. From Kempt. 252

J. King and J. Drinkwater to the Lords of the Treasury. Respecting the supply of provisions for the troops in Canada during the ensuing year. 260

Harrison to Bunbury. Encloses copy of letter from Major General Drummond, dated Quebec, 19th July, enclosing a general return and estimate of provisions issued and wanted to victual the troops, &c., in the Canadas, to the number of 5,250 exclusive of Indians, to 1st October, 1813. The whole of the supplies required, except rice, can be provided in the province if peace continues; 100,000 lbs. of rice to be forwarded to Quebec. 254

(Enclosures calendared at its proper date.)

Order in Council that the instructions to Sir George Prevost as Governor of Canada be prepared for signature. 253

Prevost to Liverpool. (No. 14.) Enclosing memorial of Isaac Winslow. Clarke recommends the petition. 2

Memorial. 3

George Harrison to Lt.-Col. Bunbury. Transmitting copies of the report of the Comptrollers of Army accounts of 29th ult., and one from Deputy Commissary General Couche, at Quebec, relative to provisions required for the use of the troops in Canada, for the consideration of the Earl of Liverpool. 259

(Enclosures calendared at their respective dates.)

Ryland to Liverpool. Asking that he be given a seat in the Legislative Council. 264.

Memorial of Francis Holmes Coffin, R. N., on behalf of his mother, widow of the late John Coffin. 267

Craig to C. Arbuthnot. Enclosing letter from the Commissioners for building the Protestant church at Montreal, respecting a mistake in the wording of the grant of £4,000. 285

(Enclosure calendared at its proper date.)

1811.
November 24, London. Ryland to Peel. Does the right of presentation to Church livings (as well as the right of erecting parishes) belong to the Crown? Page 268

December 3, Quebec. Prevost to Liverpool. (No. 15.) Has sent Capt. Macdonell to endeavour to raise a Fencible corps from the Glengarry emigrants. Motives in choosing this gentleman. As soon as 300 men are enlisted asks to be authorized to appoint Major Battersby, Lt.-Col. Commandant. Such other officers as are required shall be selected and their names submitted for approval. 3

Enclosed. Conditions for raising a corps of Glengarry Light Infantry Fencibles. 7

December 5, Chancery Lane. Rowd-Wimburn to Peel. Respecting the memorial of the Count de Puisaye. 272

December 10. Craig to Liverpool. Recommending that Mr. Ryland be advanced to a seat in the Legislative Council. 273

December 10, Quebec. Prevost to same. (No. 16.) Respecting the uniforms for the proposed Glengarry Fencibles. 14

December 10. Craig to Peel. Letter of the 14th received, acquainting him that Lord Liverpool's sole reason for hesitating in submitting Mr. Ryland's name for a seat in the Legislative Council is a doubt whether that gentleman's situation as clerk of the Executive Council is quite compatible with it; asking his opinion on the subject. He (Craig) considers Ryland quite eligible and does not see how the duties can conflict. 275

December 17, Treasury Chambers. Harrison to same. Having laid before the Lords Commissioners of the Treasury Sir George Prevost's letter dated 9th ult., enclosing a requisition for stationery for the Civil Department, Lower Canada, for 1812, he is commanded to transmit the same for Lord Liverpool's opinion thereon. 276

December 17, Treasury Chambers. Same to same. Having laid before the Lords Commissioners of the Treasury a letter from Sir George Prevost, dated Quebec, 9th ult., enclosing requisitions for completing the supply of Indian stores for Upper and Lower Canada, for 1812, he is commanded to transmit the same for Lord Liverpool's opinion thereof. 277

December 18. Order in Council that the Governor of Lower Canada be instructed to give his assent to the Bill intituled "An Act for erecting a common jail "with its dependencies in the District of Three Rivers, and to provide "the means for defraying the expenses thereof." The Governor's attention to be called to Mr. Secretary Windham's letter of the 5th June, 1806, to Mr. President Dunn, and to recommend to him to promote some measure for the application of the surplus money which may be raised under the Act which provides for the erecting of two jails and also for raising money to defray the expenses thereof. 279

December 20, Treasury Chambers. Harrison to Peel. The sum of £4,000 voted for building the Protestant Church at Montreal, described by mistake as Montreal, Upper Canada, consequently remains unappropriated. Asks that the Governor of Lower Canada be directed to draw upon Mr. Adams, the agent for Upper Canada, for the above mentioned sum as it may be required from time to time. 281

December 23, London. Ryland to Peel. (Private.) Has had some conversation with Gore concerning Indian affairs. Asks for the loan of the proposed establishment of the Indian Department in both Canadas and the requisitions for presents for the ensuing year, that he may make a better estimate of the advantages which would arise from granting money instead of presents. Also asks for the loan of the establishment and requisitions sent home in 1795. 286

1812.
March 30, Downing St. Draft of a letter to Prevost. He is to suspend the measures for raising a regiment of Glengarry Fencibles. Reasons. 11

No date. List of the Executive Council of Lower Canada with the names of additional members proposed. 269

ACCOUNTS, 1811.

Q. 116.

This volume consists of the accounts of the Receiver General (John Caldwell) from 11th April to 10th October, 1811. Pages 1 to 32.

GOVERNOR SIR G. PREVOST, 1812.

Q. 117.—1.

812.
ary 1, ing St. Draft of letter to Prevost. (No. 3.) The £4,000 voted for building the Protestant Church at Montreal is in the hands of Mr. Adams, and he (Prevost) is to draw upon him for the amount as required for the above mentioned purpose. Page 2

ary 2, c. Prevost to Liverpool. (No. 17.) Requesting that 200 cavalry sabres and belts with saddles, bridles and equipments complete for that number of Light Dragoons, be sent as early as possible to equip the yeomanry who have offered to form themselves into corps of cavalry for the defence of their threatened country. 4

ary 6, c. Same to same. In 1810, Geneviève Piché was convicted of murder at Montreal and sentenced to death, which sentence was afterwards respited by Craig till His Majesty's pleasure should be known. Asks that the Prince Regent's pleasure be ascertained. Recommends clemency. 5

ary 6, c. Same to same. (No. 19.) Has received the despatch dated 22nd June last, communicating the Prince Regent's pleasure that an annual allowance of £100 be granted to every future missionary leaving this colony after a residence of ten years. Encloses an extract of letter from the Bishop of Quebec to whom a copy of the despatch was transmitted. The great importance of there being no misconception on the subject leads him to ask for a communication which will leave no room for doubts. 6

Enclosed. Extract of letter from Bishop of Quebec to Prevost, dated 27th November, 1811. If the bounty of £100 to missionaries is to be limited strictly to the letter of the instructions, which state that "a grant of a hundred pounds per annum will be proposed for every future missionary sent from this country, who upon removing, &c.," a great many worthy men now labouring in Canada will miss this advantage. 7

ary 6, c. Prevost to Liverpool. (No. 20.) No intimation was given to the Governor of this province that £4,000 had been voted for building the church at Montreal. It was only discovered by accident. Has drawn bills upon Mr. Adams for the sums required. 10

ary 22, c. Same to same. (No. 22.) An attempt having been made at Washington to misrepresent and vilify the British Government as a promoter of the hostilities on the Wabash, he has thought it right to refute this charge by transmitting evidence to Washington and publishing and circulating throughout the United States the enclosed letter from an able pen and signed "Philalethes." Is making all possible preparations to meet the threats of America. 15

Enclosed. Copy of letter signed "Philalethes" from the *Quebec Mercury* and dated 18th January, 1812. 17

ary 3, c. Same to same. (No. 23.) Transmitting copies of the proceedings of the Executive Council on matters of State between 11th March and 22nd August, 1811, and on land matters between 11th March and 13th June. 24

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February 7, Quebec. Prevost to Liverpool. (No. 24.) Enclosing memorial from Edward Bowen, late acting Attorney General, asking that he be appointed Attorney General for Lower Canada and suggesting that Mr. Uniacke be appointed for Upper Canada. Page 25

Enclosed. The memorial. 26

February 8, Downing St. Draft of letter to Prevost. (No. 5.) Transmitting copy of minute on the bill for the erection of a jail in the District of Three Rivers, to which his Royal Highness the Prince Regent assents. Regarding the appropriation of the surplus money. 32

February 10, Downing St. Same. (No. 6.) List of 16 Acts passed by the Legislature of Lower Canada in March, 1811, which have been approved by the Privy Council. 34

February 13, Downing St. Same. (No. 7.) The requisitions have been forwarded to the proper Department with directions that the articles required are to be forwarded by the first opportunity. The existing state of affairs make a report on the military defence of the provinces necessary. Any suggestions as to measures to be taken in case of attack will be received with interest. 39

March 3, Quebec. Prevost to Liverpool. (No. 25.) He opened the Provincial Parliament on the 21st February. Encloses the speech on opening and the addresses in reply from the Council and Assembly. Thinks there are some dangerously disaffected persons amongst the Canadians as agents of France and America. Believes the latter country would consider war against Great Britain premature and is at present endeavouring to corrupt the minds of the Canadians to render their designs easier at a more distant period. His efforts to arouse the inhabitants of Canada from their lethargy receive considerable assistance from the arrogant declarations made in Congress respecting the easy conquest of their country; thinks their pride will help him in his plans for a militia force. Will seek the aid of the Catholic clergy in influencing the people. The Canadians' indifference to militia service arises from a disuse and consequent aversion to arms. Arms, accoutrements, and clothing are required. Major General Brock has every reason to expect he will receive from the Legislature of Upper Canada all that is necessary for defending that province. Is anxiously expecting the necessary means of adding to the number of members of the Legislature to prevent embarrassment in case of the death of any of the present members, an event by no means improbable from the infirm health of two or three. 41

Enclosed. Speech on the opening of Parliament: English, 47; French, 53.

Address in reply from the Legislative Council. 59

Ditto from the House of Assembly. 65

March 3, Quebec. Prevost to Liverpool. (No. 26.) Enclosing statement of the exports and imports of the province for 1811. 76

Enclosed exports and imports. 76a to 78a

March 3, Quebec. Same to same. (No. 27.) States that York, the seat of Government in Upper Canada, is a position well adapted for a citadel and depot of military stores; at present it is quite unfortified. Encloses report by the commanding engineer on the strengthening the King's reserve there; will inspect the post himself in the summer and report. Has authorized some repairs to be made in the several ports in Upper Canada in case of sudden attack. 79

Enclosed. Report of Capt. Vigoureux, R.E., on the project for fortifying the ground at York, whereon the Government House is situated. 81

March 4, Quebec. Same to same. (No. 28.) From the state of affairs here he has considered it expedient, without waiting for His Majesty's commands, to issue a warrant for the raising of the Light Infantry from the settlers of Glengarry. Asks for permission to allot a proportion of land to such as enlist. Colonel Baynes nominated to conduct the levy; recommends

that he be made colonel. Has prohibited the enlisting of Canadians or Americans recently come from the United States. Page 85

Prevost to Liverpool. (No. 29.) Endorsing Mr. Heriot's recommendation for an increase of salary to John Howe, postmaster at Halifax, and Daniel Sutherland, postmaster at Montreal. 87

Prevost to Liverpool. (No. 30.) The representation of the British North American merchants, respecting the interior communication, engaged immediate attention. The measures to be followed to improve the mail service. 88

Same to same. (No. 31.) Enclosing report from the Trinity House, Quebec, respecting an establishment formed by Sir James Craig upon the Island of Anticosti. The importance of keeping up this establishment. 94

Enclosed. Report of the Trinity Board. 96

Same to same. (No. 32.) Enclosing memorials of Charles F. Grece and James Campbell for further remuneration for their endeavours to encourage the culture of hemp in this province. Refers him to the last reports of the Executive Council upon this subject (enclosed) from which he may be able to judge how far it may be expedient to encourage the industry in future. 102

Enclosed. Memorial of Grece. 104

Ditto of Campbell. 110

With the memorials are sent the two following documents:

1st. Transactions on Becancour Farm, 1807. 128

2nd. Losses sustained by James Campbell from the commencement of the "hemp business." 138

Report of a Committee of the whole Council. 141

Draft of a letter to Prevost. (No. 9.) Mr. John Blackwood having been recommended as a proper person for a seat in the Legislative Council for Lower Canada, he would submit his name to the Prince Regent in case he (Prevost) should think fit to propose him. 147

Prevost to Liverpool. (No. 33.) Enclosing letter from Col. Baynes, reporting the progress made in the levy of the Glengarry Light Infantry Fencibles. 148

Enclosed. The letter from Col. Baynes. 149

Same to same. (No. 34.) Acknowledging letter enclosing the memorial of Misses Jane and Sarah Lees. Has delayed answering till it could be ascertained whether their father John Lees was indebted to the public. The accounts have not yet been delivered to the office of the Commissary of Accounts, but as they are making up he will soon be able to announce the result. 150

Same to same. (No. 35.) Enclosing rates of exchange and current prices from September to March last, inclusive. 151

Enclosed. Quebec prices current for September. 152

Ditto for October. 155

Ditto for November. 158

Ditto for December. 161

Ditto for January, 1812. 164

Ditto for February. 167

Ditto for March. 170

Draft of a letter to Prevost. (No. 10.) Troops (mentioned) to be sent to Canada. Hopes he will be able on the arrival of these troops to allow the 41st and 49th to return to Europe. If he apprehends an immediate rupture before reinforcements could arrive, these regiments may be kept in Canada. 173

Same. (No. 11.) Transmitting commissions appointing him Captain General and Governor in Chief over the Province of Lower Canada, together with the usual instructions. The commissions and instructions

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for New Brunswick and Nova Scotia have been forwarded to the officers administering the Government but transmits copies for his (Prevost's) information. Page 176

April 3, Quebec. Prevost to Liverpool. (No. 36.) Transmitting, to be laid before the Prince Regent, the memorial of Mrs. de Lanaudière. 177

(The memorial is in Q. 117, part 2, page 178.)

April 21, Downing St. Draft of a letter to Prevost. (No. 16.) In answer to the letter enclosing the memorial from Bowen, states that the appointment of Attorney General for Upper Canada has been filled. If any opportunity for compensating Mr. Bowen should arise, he will remember his memorial. 31

May 13, Quebec. Prevost to Liverpool. (No. 21.) Despatch of 28th July received, on the subject of the hostile intentions manifested by the Indians against the Americans, copy of which he immediately forwarded to Major General Brock. Encloses extract of letter since received from Brock, by which it will be seen that previous to the hostilities which have taken place on the American Frontier, he (Brock) had fully anticipated his (Liverpool's) directions on that head, by his judicious measures in assuming the government. Has deemed this extract of sufficient importance immediately to transmit it to Mr. Foster at Washington, to enable him to repel any attempts to charge His Majesty's Government with encouraging the hostilities actually commenced in the Wabash. In consequence of the threatening language of the American Government and the apparently warlike measures which they are pursuing he has sent his aide-de-camp, Capt. Coore, to Washington for the purpose of receiving any information Mr. Foster may wish to send by this the only safe mode of conveyance. 12

Enclosed. Extract of letter from Brock to Prevost, dated 3rd Dec. 1811. 14

August 5, Downing St. Draft of a letter to Prevost. (No. 4.) Having transmitted the memorials and other papers on the subject of the claims of Messrs. Grece and Campbell to the Lords of Trade, encloses copy of the answer by which he (Prevost) is to shape his conduct. 146

Governor Sir George Prevost—1812.

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January 9, Montreal. Memorial of Sarah Morris to Sir Robert S. Milnes for a grant of land. 211

Enclosed. Extract from a report of the Land Committee on the above. 210

Ditto from a report of a committee of the whole Council on the same. 213

1812.

March 3, Quebec. Memorial of Elizabeth de la Corne, widow of Charles de Lanaudière. (in French.) 172

April 3, Quebec. Prevost to Liverpool. (No. 37.) By this time he (Liverpool) is probably in possession of the circumstances relative to Henry's treachery. The papers left by his predecessor leave no information of any consequence other than what has already appeared in the public prints. Henry's thorough acquaintance with the Canadian character, religion and language, and above all his deep resentment against the British, might induce Buonaparte to give him a favourable reception in France. Expects Mr. Madison's next move will be to cause a declaration of war to be laid on the Tables of Congress. Has therefore directed the Commanding officers in the Provinces to be especially prudent and cautious in their intercourse with the United States. Encloses extract of his letter to Major General Brock, that to Sir John Sherbrooke contains the same except as respects the Fort of Detroit. 181

Enclosed. Extract of letter to Brock. 153

Draft of a letter to Prevost. (No. 12.) Directions have been given for
St. complying with the requisition in despatch No. 17, for cavalry equipments, which will reach Canada early in the summer. Page 191

Same. (No. 13.) The measures to be taken respecting the represen-
St. tations from the Committee of Merchants interested in the trade of the British North American Colonies. 192

Prevost to Liverpool. (No. 38.) Considers a naval force properly constructed for the lakes, the most efficient and cheapest mode of defence. The arrangements to be made for improving that force. Thinks it advisable that the naval establishment, stores, etc., should gradually be removed to York. His reasons. 194

Draft of a letter to Prevost. (No. 14.) Transmitting memorial of
St. Jane Lynd. Some enquiry upon the subject has already taken place and probably a decision has been postponed till a final determination shall be taken as to the disposal of the Jesuit Estates. Directs an enquiry to be made as to the expediency of granting the prayer of the memorialist. 197

Prevost to Liverpool. (No. 39.) Enclosing a memorial from Messrs. Samuel Sansum and Robert Allsop upon the subject of their claims in behalf of their children, to lands in Lower Canada. 198

Enclosed. The memorial. 199

Same to same. (No. 40.) The temper of the Parliament is not quite as satisfactory as he had thought when sending his despatch No. 25. Has obtained a Bill amending the Militia Act, by which a proportion of the Sedentary Militia are converted into a permanent force. Some remarks on the militia. The measures lately taken by the Americans have induced him to accept the services of 500 Canadians to be formed into a corps of Voltigeurs, to serve during the war, or apprehension of war; the conditions under which they are to be raised. Hopes the measures he is taking for the preservation of Canada will be represented to the Prince Regent. As soon as militia matters will allow he intends visiting Upper Canada to concert with General Brock a plan of defensive and offensive operations, in the event of the Democratic spirit of the United States having put the dispute beyond the bounds of accommodation. 214

Draft of a letter to Prevost. (No. 15.) The arrangements proposed
St. for the distribution of the troops. 220

Prevost to Liverpool. (No. 41.) Enclosing copy of the conditions he (Prevost) has approved of for conducting the levy of the Canadian Voltigeurs. Has selected Major De Salaberry to superintend this service; asks that he be confirmed in his rank. 222

Enclosed. The conditions for raising the corps. 224

Same to same. (No. 42.) Enclosing memorial from John Young, Executive Councillor and master of the Trinity House at Quebec, for an adequate salary for the duties of the latter appointment. 230

Enclosed. The memorial. 231

Document accompanying the memorial giving the state of the establishment of the Trinity House. 237

Draft of a letter to Prevost. (No. 17.) By this time he (Prevost)
St. must surely know of the treachery of Henry, he having disclosed to the American Government the documents relative to his employment by Craig in 1809, on a secret service. Trusts no hostilities will be shown by the American Government until an explanation can be given. Transmits copy of a despatch from Lord Castlereagh to Foster signifying the Prince Regent's pleasure respecting the language to be used in negotiating with the United States. Hopes he (Prevost), will not think that when forwarding Mr. Henry's memorial in the letter of 16th September he admitted Mr. Henry's account of his services to be a correct one; it

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was only done in conformity with official usage. Will not d
Craig's part in the transaction. Hopes that in making arrange
for the defence of the Provinces, even under the menace of hostili
measures will be resorted to which could be cited as a want of fait
power not at war with Great Britain. Pag

May 15, Downing St. Draft of a letter to Prevost. (No. 18.) Notwithstanding the irri
produced by Mr. Henry's disclosures and other existing cause
Majesty's government apprehends no immediate rupture with Am
In the event of hostilities he (Prevost) is to consider himself vested
the same general discretion in taking measures for the defence
Provinces which was given to Craig. Trusts the expenses al
incurred for strengthening Lower Canada, will be adequate witho
further demand on the Treasury. Repeats that he is to avoid a
which can irritate the people of the United States.

May 16, Quebec. Prevost to Liverpool. (No. 43.) Enclosing a memorial from
Justice Williams, a member of both Councils, whose long se
render him worthy of His Majesty's consideration for a suitable pro
Recommends that he be allowed to retire on a pension of £500 st
Mr. Justice De Bonne has handed in his resignation; recommend
to consideration. Has filled up the vacancies by appointing Oliver Pe
and Edward Bowen.

Enclosed. The memorial of Jenkin Williams.

Short account of the various Civil appointments held by William

May 16, Quebec. Prevost to Liverpool. (No. 44.) Respecting the requisitions fo
and provisions to the Indians. Encloses a code of instructions f
good government of the Indian Department for his (Liverpool's)
deration, by which the management of Indian affairs would be und
military control.

Enclosed. The code of instructions.

Schedule of allowances for officers, &c., of the Indian Departmen

May 17, Quebec. Same to same. (No. 45.) Despatch of 5th February relative t
fortifications and barracks at Quebec received; has directed ths
works approved by Craig be proceeded with. Encloses an estima
erecting a barrack on Cape Diamond and also copy of an estimate
commissariat store. Has approved these estimates and ordered w
be commenced. Encloses plan and estimate for building pro
barracks on the vacant space adjoining the Jesuit Barracks.

Enclosed. Estimate for a barrack on Cape Diamond.

Ditto for Commissariat store house.

Plan of Jesuit barracks and adjoining ground.

Estimate for barracks adjoining the Jesuit barracks.

May 18, Quebec. Prevost to Liverpool. (No. 46.) A lengthy report upon the mi
position of His Majesty's North American provinces and the me
defending them.

May 23, Downing St. Draft of a letter to Prevost. (No. 19.) Transmitting copy of a
cation of the promotions in the Commissariat Department in Canad

May 26, Quebec. Prevost to Liverpool. (No. 47.) The Glengarry regiment com
Three Rivers the headquarters, where about 400 fine young me
assembled under Major Battersby. The promise of a grant of lan
been a great incentive to the men.

May 27, Quebec. Same to same. (No. 48.) Enclosing extract of a communicati
cypher which has just reached him from Mr. Barclay, Consul G
at New York. Assures him (Liverpool) that every prudent prec
as far as the resources of the country will permit has been taken.

Enclosed. Extract of letter from Mr. Barclay stating that "
inevitable."

May 29, Quebec. Same to same. (No. 49.) Enclosing extracts from Brock's rep
the state of affairs in Upper Canada. Has given strict directions

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officers commanding posts, to observe perfect civility towards the States and to prevent as far as possible any circumstance calculated to cause irritation. Page 312

Enclosed. Extracts from Brock's reports. 313, 315

1, ec. Prevost to Liverpool. Transmitting naval officers' returns of vessels entered inwards and cleared outwards at Quebec between 5th July, 1811, and 5th April, 1812. 318

8, ec. Same to same. (No. 50.) Enclosing speech on the closing of the session of the Legislature which has terminated in a more satisfactory manner than he had expected; also the speech made by the Speaker of the Assembly upon delivering the Bills of Supply. Respecting the three temporary Bills. 319

Enclosed. Speech on closing the session. 326

Speech from the Speaker of the Assembly. 329

8, ec. Prevost to Liverpool. (No. 51.) Enclosing rates of exchange and current prices at Quebec for April and May. 332

Enclosed. Quebec prices current for April. 333

Ditto for May. 336

9, ec. Prevost to Liverpool. (No. 52.) Arrangements for disposing of the troops. Has just received the following secret communication from the Consul General at New York, dated 30th May, 1812. "His Majesty's minister at Washington writes me on the 27 instant, that notwithstanding the clear proofs of the continuance of the French Decrees, it seems war will be proposed on Monday, and it is said will be carried in the House of Representatives." Notwithstanding this information the troops asked to be sent home in despatch No. 10 will be embarked, substituting the 1st Batt. of the 8th for the 41st, unless hostilities shall have actually commenced. It is reported that the Americans are reinforcing their posts in Upper Canada, which circumstance seems to require the 41st to remain in its present position till the spring. 339

11, ec. Same to same. (No. 52.) Despatches received. In reply to the circular of 21st March last, respecting the communication between this colony and those parts of the continent under the control of France, states that the Alien Act effectually provides against the introduction of foreigners into the province without the permission of the Governor. Believes the Act is strictly enforced. Mr. Ryland arrived yesterday, but brought neither his (Prevost's) commission nor the *mandamus* for the Legislative Councillors. 343

14, ott. Extract of letter stating that the "Lord Nelson," a trading vessel, had been taken by the Americans. 349

(In Prevost's No. 53 of 22nd June.)

15, ott. Extract of a letter stating that the "Ontario," an American vessel with a British cargo on board, had been detained by the United States. 351

(In Prevost's No. 53 of 22nd June.)

16, ing St. Draft of a letter to Prevost. (No. 1.) Transmits copy of letter from the Secretary to the Postmaster General in answer to his (Prevost's) No. 30, recommending an increase to the salary of the postmasters at Halifax and Montreal. 345

22, ec. Prevost to Liverpool. (No. 53.) Takes advantage of a ship for Liverpool to transmit copy of a despatch which he (Prevost) addressed to His Majesty's minister at Washington in consequence of statements from British subjects of acts of violence shown to their merchant vessels on Lake Ontario, while lawfully trading, by the armed force of the United States. 346

(Enclosures calendared at their respective dates.)

22, c. Same to Augustus Foster, Minister Plenipotentiary at Washington. Encloses extracts from letters received stating that violence has lately been shown to merchant vessels trading on Lake Ontario. Has no reason

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to doubt the correctness of these accounts though not yet officially communicated to him. Transmits them that redress may be had. Page 347

(In Prevost's No. 53, of 22nd June.)

June 22. Draft of a letter to Prevost. Enclosing copy of a letter from Mr. Beckett with a pardon for Geneviève Piché. 352

July 4, Downing St. Draft of a letter to Prevost. (No. 2.) Despatches received and laid before the Prince Regent, who is happy to hear of the willingness of the Assembly and people of Lower Canada to second his (Prevost's) exertions. It is desirable to acquaint the Legislature and Assembly that the addresses on opening the Parliament have been laid before the Prince Regent, who hopes he will not be compelled to call upon his Canadian subjects for the sacrifices they would willingly make, but that his declaration of 23rd June will secure peace. Trusts he will be enabled safely to suspend all extraordinary preparations for defence. Hopes all arrangements for raising the Glengarry Regiment have been abandoned in consequence of Lord Liverpool's letter of 30th March. The appointments mentioned in letters No. 10 and 25 approved. In answer to his despatch No. 27, has to state that no idea of the expense of fortifying York can be gathered from the report. Despatch No. 29, relative to the interior communication has been transmitted to the Postmaster General. The establishment on Anticosti to be continued for the present. The Prince Regent regrets there are no funds at the disposal of the Crown from which to assist Madame DeLanaudière. The claims of Messrs. Grece and Campbell are under consideration. The instructions given to Brock and Sherbrooke approved of. 185

Governor Sir George Prevost, 1812.

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June 18, War Department. W. Eustis to Brigadier General Hull. Letters received. Arrangements for provisioning the troops approved. Circumstances have recently occurred which render it necessary he (Hull) should march to Detroit with all possible expedition. 75

(Enclosed in Prevost's No. 59 of 30th July.)

June 24, Camp Necessity. Hull to Eustis. Heavy rains impede his progress. Expects to arrive at the Foot of the Rapids by the 1st July. Five strong block houses are now established on this road. Soldiers in good health. General Brock arrived at Malden on the 14th inst., with 100 British troops, on the 17th he sailed for Fort Erie and it is said will return with reinforcements. Large numbers of Indians are collecting at Amherstburg. Feels convinced in case of hostilities his army will be superior to any which can oppose it. 76

(In Prevost's No. 59, of 30th July.)

June 25, Quebec. Prevost to Liverpool. (No. 54.) Enclosing intelligence just received, which comes from so good a source that, though not official, he transmits it by a vessel just sailing for Cork. The writers, being the principals of the North-west and South-west Companies, have taken extraordinary means to obtain the earliest information. Asks for money. The arms and accoutrements shipped for Canada last autumn have not yet arrived. 7

Enclosed. Letter from Forsyth Richardson and Co., and McTavish McGillivray and Co., dated 24th June, 1812, to H. W. Ryland, asking that he inform the Governor that war is declared against Great Britain.

June 26, Camp at Fort Findlay. Hull to Eustis. Constant rains have rendered progress slow. Strong block houses are erected to preserve the communication. Has garrisoned them and left the sick there with all necessary comforts. Suggests relieving the troops stationed in the block houses, by the militia of th

Ohio. In case of war, this communication is very necessary. The Indians appear friendly. Expects to be at the Foot of the Rapids in three days. Mr. Arthur's block house is on the Scioto, intends building another about half way between this and the Foot of the Rapids. The friendly Indians will carry some baggage in their canoes. Page 79

(In Prevost's No. 59 of 30th July.)

Prevost to Liverpool. (No. 55). Encloses the Act of Congress by which war is declared against Great Britain and which has just reached him through the public prints. Has received no official communication from Mr. Foster yet, but the fact cannot be doubted. Understands by a ship from Portsmouth that the troops for Quebec have sailed. Refers him to the resolutions of the town meeting of Boston contained in the New England *Palladium* of 16th June (enclosed). 5

Enclosed. Extracts from the Montreal *Herald* of 27th June, 1812, taken from the New York *Evening Post.* 6

Extract from the *Palladium*, Boston, Tuesday, 16th June. 20

Monthly return of the garrison of Michillimackinac, commanded by Lieut. Porter Hanks, for the month of June. 156

(In Prevost's No. 65 of 14th August.)

Prevost to Liverpool. (No. 56.) Has removed to this town to be nearer the scene of operations. Trouble with the militia in some of the neighbouring parishes. Is quite satisfied with the loyalty of the embodied militia. 35

Same to same. (No. 57.) Despatches received. Had given permission, from the strong indications of war, to raise the strength of the Glengarry levy to 600. Recourse was had to all the Provinces, and he does not consider a sufficient number had been raised in Glengarry to entitle the regiment to that name. Had limited the Canadian Voltigeurs to 300, as the state of the military chest would not allow him to carry on both recruiting services at the same time. The 103rd has been safely landed at Quebec. It has become necessary to establish a cordon of troops upon the frontier between the St. Lawrence and Richelieu Rivers, to prevent incursions of the enemy and protect Montreal. This precautionary measure will prevent his parting with the 100th Regiment for service in Nova Scotia. If the lateness of the season should prevent the 1st Battalion of the Royal Scots from reaching Quebec, they will winter in Halifax. The American General Officer commanding the Niagara District had planned the surprise of Fort George, but fortunately the report of hostilities had brought General Brock to the Fort, which induced them to relinquish their attempt. Brock had considered himself justified in offensive operations, but upon the reflection that Detroit and St. Joseph's were weak and that the reduction of Fort Niagara was the utmost he could do at present, and that that could be done as well at any future time, he decided to confine himself to defensive measures. Has repeatedly recommended this policy to Brock and the officers in command of the other districts of British America. In the present state of politics in the United States he considers it prudent to avoid every measure with the least tendency to unite the people of America. Brock has called out the flank companies of the militia, about 800 men. The Americans very active on the opposite side of the Niagara River. So far General Brock considers himself safe. About 100 Indians from the Grand River have come in answer to his (Brock's) summons, A report that the Americans have taken Carleton Island. We still possess superiority of vessels of war on Lakes Erie and Ontario. Embarrassment from the scarcity of arms for the use of the militia: has sent to Halifax for half the arms in the store there. It is necessary now to establish a paper medium, and he is about to get the aid of Parliament to give it value, upon which measure he will report more fully.

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Brock, on the declaration of war, had to resort to a paper currency. General officers badly needed. Page 39

July 16, Head Quarters of the North-western Army of the United States, Sandwich. Hull to Lt.-Col. St. George, commanding, Amherstburg. Asks for the papers taken on board the boat captured while under the command of Capt. Chapin, as they can be of no service to the British. The bearer, Brown, to receive them. Wishes to know his determination relative to the private apparel and baggage taken. He has it in his power to retaliate and avenge any delay in the restitution of the property. 192

(In Prevost's No. 3 of 17th August.)

July 16, Amherstburg. Lt.-Col. St. George to Hull. Upon examination, the papers prove to be almost all public documents; to select the private ones from among them would be too much labour. As to private property, he (St. George) must wait the determination of his Government on the subject. Regrets the use in his (Hull's) letter of the words retaliation and avenge, and hopes he (St. George) will not be obliged to use the means for either which he also possesses. 194

(In Prevost's No. 3, of 17th August.)

July 17, Height above Fort Michillimackinac. Articles agreed on between Captain Roberts, commanding His Majesty's Forces and Lieut. Hanks for the capitulation of Fort Michillimackinac. 154

(In Prevost's No. 65, of the 14th August.)

July 17, Fort Michillimackinac. Charles Roberts to the Adjutant General. Michillimackinac has capitulated. 151

(In Prevost's No. 65, of the 14th August.)

July 18. Return of ordnance, ammunition, stores, &c., taken possession of in Michillimackinac garrison by Capt. Roberts. 157

(In Prevost's No. 65, of 14th August.)

July 18, Quebec. Prevost to Liverpool. (No. 58.) Enclosing Speech which he (Prevost) delivered to the Provincial Parliament on the 16th inst., to which satisfactory answers have been made. Has called their attention to the necessity for a modification of martial law and a paper money. Believes these measures will meet their approval. Reasons which have induced him to ask for this currency. Has received official notice from Mr. Foster, of the declaration of war. Encloses proclamation continuing the embargo till the 5th August, with permission to such vessels to depart as were ready to take advantage of the convoy of H.M.S. "Savage." Has received instructions and commission and was sworn in as Governor on the 15th inst. 49

Enclosed. Proclamation. 53

Speech. English, 60; French, 63. 60, 63

July 25, Downing St. Draft of a letter to Prevost. (No. 3.) Transmitting copy of a notification of a promotion in the Commissariat Department. 67

July 30, Quebec. Prevost to Liverpool. (No 59.) Has received despatches from Brock that an American army of 2,000 men under General Hull has made its appearance at Detroit and that a detachment crossed to the Canadian side and is now occupying Sandwich, causing the militia and troops to retreat from thence to Fort Amherstburg. Immediately after taking this village, General Hull ordered a proclamation (enclosed) to be issued which has already done harm. Lt.-Col. St. George is at present secure in Fort Amherstburg, should he be forced to retire, it will be necessary for him to embark for Fort Erie. State of the ordnance at Amherstburg. Brock has sent copies of some documents found on board a schooner captured from the Americans which are enclosed. 65

Enclosed. Hull's Proclamation. 71

(Three letters taken from the Americans calendared at their respective dates.)

July 30, Quebec. Same to same. (No. 60.) The exhausted state of the military chest exposes the service to serious difficulties which will not be altogether

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removed by the operation of the Army Bill Law, which has passed the Assembly and is now before the Council. It will bring relief, but the Canadians have a deep rooted prejudice against paper money. Enclosed letter from the Commissary General stating his difficulties from the want of specie. Page 82

(Enclosure calendared at its proper date.)

30, ec. W. H. Robinson, Commissary General, to Prevost. His embarrassment from the want of money. 84

30, ec. Same to Liverpool. (No. 61.) The death of Mr. De Lanaudière and the resignation of Mr. Richardson. Recommends John Blackwood and Pierre D. Debartzch for the vacancies. 87

st 2, real. Same to Baker. Enclosing copy of a letter sent this day to the Commander of the U. S. Forces. 127

(In Prevost's No. 63, of 5th August.)

st 2, real. Same to Major General Dearborn. Has received from Mr. Foster a communication stating that he has received despatches from England the contents of which may possibly induce the Government of the United States to agree to a suspension of hostilities as a preliminary to negotiations for peace. Has forwarded these despatches with a flag of truce to New York to be communicated to the Government. Hopes no further movements may be made by the United States troops; as soon as he (Prevost) hears that such orders have been issued he will see that the forces under his command desist from all hostilities likewise. Col. Baynes who is sent with the flag will bring back an answer. He is also the bearer of a despatch to Mr. Baker communicating the proposal made. 123

(In Prevost's No. 63, of 5th August.)

st 3, ec. Same to Liverpool. (No. 62.) Encloses his speech on closing the Legislature. The only Act passed was one to facilitate the circulation of Army Bills, a copy of which is enclosed, together with the report of the Executive Council thereon. The great advantages to be derived from the passing of this Bill. A public notification agreeably to the copy enclosed will be made. Trusts the Prince Regent will sanction the measure. The insufficiency of the troops now in Canada. Has not as yet heard the result of Hull's attempt. Major General Sheaffe and such troops as he can spare are now on their way to reinforce Brock. 89

Enclosed. Speech. 95

Notification. 97

Report of the Board on the subject of Army Bills. 100

Report of a Committee of the whole Council on the same subject. 109

Copy of an Army Bill. 119

st 4, wich. Hull to Wm. Eustis, Secretary Department of War. At the time his army took possession of this part of Upper Canada everything appeared favourable. Circumstances have since occurred which seem materially to change the future prospect. The unexpected surrender of Michillimackinac and the tardy operations of the army at Niagara are the circumstances to which he alludes. Expects shortly a large body of Indians to attack against this army; they are under the influence of the fur companies whose trade depends on opening the Detroit River this summer. The consequences following on the delay at Niagara. The preparations he his making. Promises his best and most faithful exertions to promote the honour of the army. 203

(In Prevost's No. 4 of 24th August.)

st 5, ec. Prevost to Liverpool. (No. 63.) In consequence of a despatch from Mr. Foster at Halifax, communicating the contents of one from Lord Castlereagh, he sent Col. Baynes, Adjutant General, with a flag of truce to Major General Dearborn, or the officer commanding the forces of the United States on the frontiers. Encloses copy of letter sent with the

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flag and also copy of one forwarded to Mr. Baker. Is glad to find his policy at least has not widened the breach between the two countries, and unless the safety of the province requires it he will resort to no measure likely to cause bad feeling. Page 120

(Enclosures calendared at their respective dates.)

August 6, Quebec. Prevost to Liverpool. (No. 64.) Enclosing rates of exchange and current prices at Quebec for June and July. 128

Enclosed. Quebec prices current for June. 129

Ditto for July. 132

August 8, Green Bush. H. Dearborn to Col. Baynes, assuring him of his disposition to meet the views of Sir George Prevost, but regrets it is out of his power. However, he will give orders to the commanders of the frontier posts to take defensive measures only, also write to Hull to suspend all offensive operations. Will write to the Executive of the United States and state the measures he has taken. 169

(In Prevost's No. 2, of 17th August.)

August 8, Green Bush. Same to Prevost. Has this day communicated his answer to the proposition brought by Col. Baynes. The measures to be as promptly carried into effect as circumstances will permit. 171

(In Prevost's No. 2, of 17th August.)

August 10, Downing St. Draft of a letter to Prevost. (No. 5.) Despatches received. Since his letter of 4th July, the Prince Regent has received intelligence that war is declared. His Royal Highness anxiously hopes that when his intentions respecting the repeal of the orders in council are known in America tranquillity may be restored. Owing to the extended warfare in which Britain is engaged, the means for defending Canada must be limited, but trusts to the known valour of the troops and their commander should Canada be invaded. Great satisfaction felt at the way in which Canadians have shown their anxiety to protect their country. The Prince Regent feels perfect confidence in confiding to him (Prevost) the command of the Canadas. 32

August 10, Downing St. Draft to Prevost. (No. 6.) The Prince Regent has given his sanction to the levy of a corps from the Glengarry emigrants; clothing to be forwarded. The establishment is to be limited to 800, and land is to be allotted to each man when the regiment shall be disbanded. The 103rd must by this time have landed in Quebec. Trusts he (Prevost) has despatched the 100th to Halifax. Has received a letter from Sir George Beckwith from which it appears that the 4th Battalion of the 60th arrived at the Barbados, and that the Royals had been embarked on the same transport for Quebec. It is left to his own discretion whether or not the 41st be kept in Canada; the 95th Regiment is on its way to reinforce the troops under Sherbrooke, who found it impossible to dispense with the 98th, therefore sends the 102nd to strengthen Bermuda. Brigadier General Horsford is to exercise both civil and military duties to allow Sir James Cockburn to return to England. Holds out no hope that the requisitions for specie can be filled. Is aware of the awkwardness caused by the want of it, but necessity prevents. Heard with regret that the transport which sailed last autumn for Canada has not arrived. At the time he received the communication, two transports were just sailing for the Mediterranean with arms, etc., thinking that the service might admit of some delay he had obtained the Prince Regent's consent to change the destination of one of them, the "Lady Shore," with arms, &c., for 10,000 men. It is now under orders to sail for Quebec. On the declaration of war had directed the Commissary in Chief to fill requisitions for provisions. Trusts he (Prevost) will believe that the utmost has been done to reinforce the troops in Canada. The method of employing the Indians. Estimates for barracks to be considered immediately. Should

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have known sooner of the wish of Mr. Justice Williams and Mr. De Bonne to retire. Doubts if pensions can be granted. Page 135

t 10, ng St. Same to Prevost. (No. 7.) Transmitting letter to Mr. Desbarres, notifying the appointment of Col. C. Douglas Smith to be Lieut.-Governor of Prince Edward Island. 146

t 11, ng St. R. Peel to Prevost. Respecting the clothing for the Glengarry and 95th Regiments. 147

t 12, real. Edward Baynes to same. Had delivered his (Prevost's) despatches to Major General Dearborn on the 8th instant, who received him politely, but stated that he could not take upon himself to conclude an armistice, but would have no hesitation in giving positive orders to the commanding officers at the frontier posts to confine themselves to defensive measures till further orders. The same to be communicated to the Executive Government, and if disapproved of when countermanding the order for defensive measures, a period of four days would be allowed to elapse before hostilities could commence. Had consented to this arrangement. Dearborn stated that he had no direct control over Hull, but would write him and recommend a similar line of conduct. Has furnished Dearborn with orders for the commanders of the Canadian frontier posts to be on the defensive only. General Dearborn strongly deprecated the employment of Indians in the contest. He also objected to the agreement being drawn up in writing and copies exchanged. 163

(In Prevost's No. 2. of 17th August.)

t 14, real. Prevost to Liverpool. (No. 65.) Enclosing papers relating to the capitulation of Michillimackinac. His despatch (No. 59) will have acquainted him that a large detachment of the United States army had taken possession of Sandwich on the 12th instant. Hull commenced his operations against Amherstburg a few days after. The 41st behaved with great gallantry in repelling these attempts against the fort by the River Canard. These successes may be favourable to the security of Upper Canada. 150

(Enclosures calendared at their respective dates.)

t 16, at it. Capitulation for the surrender of Port Detroit entered into between Major General Brock and Major General Hull. 237

(In Prevost's No. 7, of 1st September.)

t 16. Return of ordnance taken in the fort and batteries at that fort. 241

(In Prevost's No. 7 of 1st September.)

t 16, it. Return of Ordnance and ordnance stores taken at Detroit. 242

(In Prevost's No. 7, of 1st September.)

t 16, Detroit. Copy of Proclamation issued by Brock on the taking of Detroit. 245

(In Prevost's No. 7, of 1st September.)

t 16, it. Brock to Prevost. This post surrendered to-day with 2,500 prisoners of war and 25 pieces of ordnance, and without the sacrifice of a drop of British blood. Had only about 700 troops and 600 Indians with which to accomplish this service. Was admirably supported by Col. Procter and the whole staff and every individual under his command. 218

(In Prevost's No. 5 of 26th August.)

t 17, real. Prevost to Earl Bathurst. (No. 1.) Congratulations on his succeeding the Earl of Liverpool. 158

t 17, real. Same to same. (No. 2.) Enclosing papers relating to the mission of Col. Baynes to the Headquarters of the American Army. 160

t 17, real. Same to same. (No. 3.) An invasion of Upper Canada took place on the 12th July last. The enemy crossed the River Detroit with about 2,300 under Hull and took post at Sandwich. The Canadian militia being unable to oppose them retreated to Amherstburg. Several skirmishes took place, the 41st distinguishing themselves. Encloses Hull's Proclamation. Brock's measures respecting the Militia. Encloses copies of two letters between Hull and Lieut.-Col. St. George at Amherstburg.

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General Brock, fully aware of the importance of that post, had previously strengthened it in every way in his power and on the news of the invasion made all preparations for marching to its relief. Part of the 49th proceeded from Montreal to Kingston to be followed soon by other troops. Has given Major General Sheaffe a temporary employment upon the Staff in Upper Canada. Our Naval supremacy has helped to ward off the fall of Amherstburg and will no doubt enable reinforcements to reach it safely while the surrender of Fort Michillimackinac will give Brock great advantages. The present safety of the Upper Province is to be ascribed to the energy of that officer. Is enabled now to relieve him somewhat since the Army Bill Act has passed. The frontier line from Montreal to Kingston appears secure at present. Arrangements for disposing of the troops. Hopes the measures he has adopted will meet His Royal Highness's approbation. Page 177

Enclosed. General Hull's proclamation. 71

Proceedings of the Executive Council, York, 3rd August, 1812, respecting the Militia. 187

(Letters between Hull and St. George calendared at their respective dates.)

August 17, Detroit. Brock to Provost. The enemy crossed the Detroit on the 12th ultimo, occupied Sandwich and ravaged the country as far as the Moravian town. Particulars of the surrender of Detroit; encloses copy of the capitulation. The force giving themselves up cannot be estimated at less than 2,500 men. The Indians under Elliott and McKee took an active part and their conduct was highly satisfactory. Has appointed Col. Myers to the command at Niagara; Capt. Glegg his aide-de-camp, will deliver this, he is charged with the colours taken at Detroit and with those of the 4th U. S. Regiment. Encloses copy of a proclamation which he issued immediately on taking possession of this country. Capture of the "Adams," a fine vessel. 223

(In Prevost's No. 7, of 1st September.)

August 24, Montreal. Prevost to Bathurst. (No. 4.) Since his despatch of the 17th respecting the surrender of Michillimackinac, Hull has made three attempts to approach Fort Amherstburg, in all of which he was repulsed and forced to return to Sandwich. No movement of importance against Upper Canada has taken place. It is now evident that Hull remains inactive from want of reinforcements and supplies, which he is daily expecting. Our forces on the contrary have been able to detach a body across the Detroit River into the United States. The mode of acting upon the enemy's line of communication and supply has been attended with considerable success. A mail from Detroit was taken on the 5th inst., and another on its way there. It will be seen by Hull's intercepted letter how much that officer's hopes of conquering Upper Canada are diminished. As General Dearborn had not the power of including that part of the army under Hull, in the arrangement for a cessation of hostilities he has not thought it necessary to restrain Brock. Has therefore used all possible means to forward him supplies of men, money and stores. Has reason to think Brock reached Amherstburg on the 12th with reinforcements, which, with those from other quarters ought to be sufficient to compel Hull to give up his ideas of conquering Upper Canada. Has received no further word from the United States since Col. Bayne's return. The objects gained by a cessation of hostilities on part of the frontier. The Army Bill expedient has surpassed his most sanguine expectations. Hopes the measures he has pursued will be approved. 1[illegible]

(Enclosure calendared at its proper date.)

August 26, Montreal. Same to same. (No. 5.) Encloses with great satisfaction a letter from Brock announcing the surrender of Fort Detroit on the 16th. In despatches Nos. 3 and 4, had detailed the operations which had taken place

in Upper Canada in consequence of General Hull's invasion. Additional particulars; cannot withhold from General Brock the tribute of applause so justly due to him. His (Prevost's) aide-de-camp, Capt. Coore, will deliver this despatch. He is well qualified to give all information respecting the military resources of this command and also the state of politics in the United States, having lately been employed on a mission to Washington. Page 217

(Enclosure calendared at its proper date.)

36, ush. Dearborn to Prevost. The President has received no official information from the British Government to warrant a continuance of the provisional measure, temporarily agreed on between Col. Baynes and himself. Therefore informs him that at the end of four days from the time this communication reaches Montreal, and copies to the same effect reach the frontiers, he will consider the arrangement no longer obligatory on either party. Has sent copies to the commanding officers of the U. S. troops. 224

(In Prevost's No. 6 of 31st August.)

31, d. Prevost to Bathurst. (No. 6.) The accompanying letter from the Commander in Chief of the U. S. Army will show the disposition manifested by the President on the measure temporarily agreed upon between the two countries. The conduct of the American Government in directing the invasion of Upper Canada will fully justify Brock's offensive measures against an assailing army. Regrets having to send Capt. Coore off before the particulars of the Detroit affair reach here, but will forward them as soon as possible. 222

(Enclosure calendared at the proper date.)

er 1, Same to same. (No. 7.) Enclosing despatches from Brock containing the particulars of the termination of Hull's invasion of Upper Canada. 227

er 12, Same to same. (No. 8.) The despatches which he has sent home since the declaration of war, will show that he could not consistently suspend the preparations for defence. The convincing proof given by the British Government in their declaration of 23rd June, of their desire to conciliate the United States, is not deemed sufficient by the President to restore tranquillity. All preparations are making by the Americans for the subjugation of the Canadas. Notwithstanding their defeat on the western frontiers, they are assembling in great numbers on the Niagara frontiers, and seem to meditate an immediate attack. Brock asks for reinforcements, which cannot be spared from Lower Canada, owing to the preparations of the enemy near Montreal, therefore, he asks for more troops for both provinces. The people are to be depended upon while we are successful, but doubts them in time of adversity. Stores and accoutrements not yet arrived. The want of clothing for the Glengarry Regiment is a serious inconvenience. Hopes the precautionary measures he has taken will be approved. 247

r 22. Same to same. (No. 9.) In his despatch, No. 7, had transmitted particulars of the surrender of Fort Detroit. Has now the honour to report that Brigadier General Hull, with the first division of the prisoners, 22 officers and 343 men, have arrived at this place, the remainder, about 140 men, to be forwarded as soon as possible. Hull has been allowed to go to Boston on parole, accompanied by his aide-de-camp, for the purpose of justifying his conduct to his Government. Has allowed the officers with families to go home on parole. The loyal and brave spirit shown by the militia leads him to hope for a satisfactory result should the country be invaded. The importance of the works he is completing on Isle aux Noix. About 150 Indians have been embodied and placed on this frontier. 251

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September 24, Montreal. Prevost to Bathurst. (No. 10.) The satisfactory operation of the plan for raising money by Army Bills. Indian presents not yet arrived, the importance of keeping the Nations in good humour. Page 254

September 30, Downing St. Draft of a letter to Prevost. (No. 9.) Transmitting copy of a letter from Mr. Jack, dated 20th August last, enclosing at the desire of the Lords of the Council for Trade, the draft of a Bill to amend, at the suggestion of the merchants trading to Canada, the schedule of the Act Geo. 3rd, chap. 39, which is to be laid before Parliament next session. Asks for his (Prevost's) observations thereon. 264

October 16, Downing St. Same. (No. 10.) Despatches No. 59, 3 and 4, laid before the Prince Regent. Brock's prompt measures in dissolving the Assembly of Upper Canada, and his determination to enforce Martial Law, are proofs of his judgment and decision which have not escaped observation. The Prince Regent desires that his approbation be conveyed to him. 267

October 1, Downing St. Same. (No. 11.) Despatches received. His Royal Highness approves of his having removed to Montreal. Reasons why His Majesty's Government are unable to comply with the requisitions for specie and provisions. Directions will be sent for the establishment of the Newfoundland Regiment to 1,000 men. The Prince Regent has also been pleased to approve of the proposal for raising a corps in New Brunswick. Is glad the Act lately passed for giving circulation to Army Bills has been of such assistance. As his (Prevost's) desire to avoid hostilities is quite in accordance with the wishes of His Majesty's Government, therefore the correspondence with General Dearborn is sure to meet with approval. Col. Bayne's conduct is satisfactory. 172

October 5, Montreal. Prevost to Bathurst. (No. 11.) Suggestions respecting the Indians of the western frontier. 265

A P.S. states that he has transmitted a copy of the despatch to Sir John B. Warren, as the public prints say he has been appointed to negotiate a peace with America.

October 5, Montreal. Prevost to Rt. Hon. Sir John B. Warren. Encloses copy of his letter to Bathurst respecting the Indians on the western frontiers, together with the extract of letters from Brock on the same subject. Hopes from what is enclosed, the advisability of consulting their interests in any negotiations for peace will be obvious to him (Warren). 271

(In Prevost's No. 11, of 5th October.)

October 10, Downing St. Draft of a letter to Prevost. Despatch of the 26th August received and laid before the Prince Regent, who most highly approves of the judicious and decisive conduct of Brock, the zeal of Proctor and the intrepidity of the troops. By the exertions of this little army Upper Canada has been secured. His Royal Highness has been pleased to appoint Brock a Knight of the Bath. While giving due credit to Brock the Prince Regent wishes to remark how much his (Prevost's) exertions have contributed to this fortunate conclusion in Upper Canada. 219

October 13, Fort George. Major General Sheaffe to Prevost. Giving an account of the Battle of Queenston Heights and death of Brock. 281

(In Prevost's No. 13, of 21st of October.)

October 17, Montreal. Prevost to Bathurst. (No. 12.) The troops of this neighbourhood have moved into winter quarters. Last accounts of the American Army state General Dearborn to be at Green Bush, near Albany, with about 3,000 men; Brigadier General Bloomfield to be at Plattsburg with 6,000. A force has moved towards Chateauguay and the Americans are making great exertions from St. Régis as far as Sackett's Harbour to interrupt our intercourse. Latest intelligence represents all quiet about Detroit. On the Niagara frontier both parties are acting on the defensive. The Americans are making great exertions to obtain a superior force on the lakes. The advantage of keeping up our Navy. War was declared on the 18th of June and hostilities quickly followed, while he (Prevost)

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struggled to overcome the difficulties arising from the want of specie and the lukewarmness of the Canadians. These obstacles now overcome. Great want of stores. The introduction of Army Bills has had the best effect. Page 273

er 21, eal. General orders issued after the Battle of Queenston Heights. 288
(In Prevost's No. 13, of 21st October.

er 21, eal. Prevost to Bathurst. (No. 13.) Reports with satisfaction that the Militia and Indians stationed on the Niagara frontier have completely repelled a second attempt of the enemy to invade Upper Canada, and that a victory has been gained which has left in our possession 900 of the American Army with their Commander, Brigadier General Wadsworth, who surrendered to Major General Sheaffe. We have to deplore the loss of an able and most gallant officer, Major General Brock, who fell early in the battle. Refers him (Bathurst) for further particulars to Sheaffe's report herewith transmitted. Also encloses copy of a general order he has just issued to the British forces. Will send by the next opportunity a return of killed and wounded and of the stores captured, also the colours taken. Capt. Fulton, his aide-de-camp, will deliver this; he is able to give all information respecting the provinces. 278
(Enclosures calendared at their respective dates.)

er 22, eal. Same to same. (No. 14.) All American prisoners are to be sent on parole to Boston to be exchanged as soon as possible, in accordance with the President's desire, that the calamities of war be lessened as far as possible. Arms, accoutrements, and clothing for the militia needed. 296

mber 16, ning St. Draft of a letter to Prevost. (No. 13.) Despatches Nos. 8, 9 and 10 received. The preparations he has made for defence approved by His Royal Highness, who confidently expects that the attacks made upon the Canadas will terminate like the late attack upon the North-western Frontier, in defeat and disgrace. Every exertion to be made to keep the naval superiority on the lakes. Can give no hope of reinforcements at present, but will send troops as soon as they can safely be withdrawn from other quarters. It has not been thought expedient to sanction the measure proposed by General Des Barre, commanding Prince Edward Island, to raise a corps of 500 men, but he (Prevost) might use the resources of the Island for completing the Newfoundland regiment. Is surprised to find that clothing is expected for the Glengarry regiment, as Col. Baynes had stated that all but great coats had been provided at Quebec. Indian presents, arms and accoutrements have been sent to Halifax. The paroles granted to Hull and his aide-de-camp to return to the United States are approved. At the same time it is but just that a like indulgence should be granted to any British subjects who may become prisoners in America. The works at Isle aux Noix appear well calculated to impede the advance of the enemy in that quarter. 259

mber 8, ning St. Same. (No. 14.) Despatch No. 13 received. His Royal Highness requests that Sheaffe be notified of his entire approbation of his conduct, and that the title of Baronet has been conferred on him. The regret of His Royal Highness at the great loss the country has sustained in the fall of Brock. The death of Attorney General McDonnell a loss to the province. 294

mber 9, ning St. Same. (No. 15.) Despatches Nos. 11 to 14 received. The necessity of the co-operation of the Indian tribes during the present hostilities; how that co-operation is to be secured. The arrangements for putting the troops into cantonments approved. The 13th, 98th and the 2nd Batt. of the 41st have been withdrawn from other services and will be sent at once to Bermuda, to enter the St. Lawrence as soon as the season will permit. The naval means of defending the province to be increased by 200 sailors and a proportion of officers, to be sent to Quebec as early as possible in the spring. Reasons why the arms, &c., asked for by the re-

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quisitions have not reached Canada. The utmost will be done to place such means at his disposal as will lessen the difficulties of the situation and secure the province. Page 298

Enclosed. Memorandum of stores sent to North America or ordered to be shipped to that destination. 305

December 9, Downing St. Draft of a letter to Prevost. (No. 16.) Acknowledges receipt of despatch No. 14. Apprehends that the indiscriminate release of all prisoners of war on parole may increase the difficulties of the situation without a corresponding advantage, however, he (Prevost) being on the spot is best able to judge, as he can ascertain whether the American army does not derive strength from these prisoners, who have only undertaken not to join General Dearborn's force, but yet may join that of another Commander. At all events, objects to the prisoners being sent to Boston, as it is such a short distance from the headquarters of the American army. 307

Governor Sir G. Prevost and Miscellaneous—1812.

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January 6. Order in Council appointing William Batchelor Coltman, Lewis Juchereau Duchesnay, Oliver Perrault, Michael Henry Percival, James Kerr, Ross Culbert and John Muir, honorary members of the Executive Council of Lower Canada. 149

January 14, Lisbon. Joseph Cheniquy, the British Ambassador's chief secretary, to ——. Informing him that prints of French victories are to be smuggled into Canada. 256

(In Stuart's of 25th April.)

January 22. W. Grant to Liverpool. John Blackwood is desirous of being appointed a member of the Legislative Council, or of that and the Executive together. 151

January 31, Treasury Chambers. R. Wharton to Peel. Transmitting papers relating to the memorial of Capt. Steele requesting to be allowed to retire on his pay. 152

January. General statement of the expense attending the Indian Department in the two Provinces. 153

February 1, Oxford. Ryland to Peel. Will as he desires, wait on him in a day or two to discuss the surplus moneys arising from the duties collected under the Jail Acts of Lower Canada. Remarks on the subject. 155

February 3, Lisbon. Joseph Cheniquy, the British Ambassador's chief secretary, to ——. Asking for a passage in a transport going to England. 258

(In Stuart's of 25th April.)

February 7, Horse Guards. J. Torrens to Col. Bunbury. Has the Commander in Chief's commands that the Earl of Liverpool be notified that the establishment of the Canadian Fencibles has been raised to 800, therefore it would be expedient to appoint a second major. 163

February 24, Poet's Corner. Ryland to Peel. Respecting the requisitions for rum and provisions for completing the Indian stores in Upper and Lower Canada. 164

February 27, Horse Guards. The Duke of York to Liverpool. The opening of the season for communicating with North America renders it necessary that a decision be come to as to what troops are to be sent out to Canada. Proposes that a foreign regiment and a regiment of the line be embarked for Quebec; that the 41st and 49th be brought to Europe if affairs will allow, and that the 104th be brought home from New Brunswick. 163

March 2, Poet's Corner. Ryland to Peel. Concerning an order from the Lords of the Treasury directing Mr. Caldwell to pay into the Military Chest at Quebec, the moneys arising from the Jesuits' Estates. Should these revenues in

future be entirely appropriated to military purposes there is a fear of dissatisfaction and irritation arising in the province. Was in hopes that he would, before this, have been favoured with Prevost's sentiments respecting the subject of his correspondence with the Colonial Department prior to August last. Is just now in an embarrassing situation, left without any directions from the present governor to guide him. Page 170

A P.S. states that his passage for Quebec is engaged in a vessel to sail with the first convoy.

William Walter to Lt.-Col. Bunbury. Asks to be furnished with the rate of pay fixed for the second battalion of the Royal Canadian Volunteers in 1796, and whether it was altered between that time and 1802. 176

Joseph Cheniquy to Castlereagh. As he now has not the least hope of being employed by the British Government, asks that he be allowed to solicit the French Government to restore his brother (Louis) the only support of his parents, taken prisoner in the "Humber," and permit him (Joseph) to take his place until an exchange of prisoners can be arranged. 260

Ryland to Peel. As his passage is taken in a vessel expected to sail next month, he submits for the Earl of Liverpool's consideration, the circumstances which have induced him to prolong his stay in England a year beyond the time calculated upon. Asks to be reimbursed the amount of his expenses. 177

Same to same. Acknowledges letter in answer to his of the 13th inst. Would not have asked to be reimbursed unless he considered there was fair ground for doing so. Will acquiesce in Liverpool's determination. 180

Same to Stuart. Has no document by him which will give information about the rate of pay originally fixed for the 2nd Batt. Royal Canadian Volunteers. Has no recollection of the rate being altered. States where he thinks the information may be found. 181

Memorial of Captain Alexander Macdonell to the Earl of Liverpool. 193

John Inglis to Liverpool. Enclosing copy of a communication on the military state of Canada made to the Committee of Merchants interested in the Trade and Fisheries of the British North American Colonies by several highly respectable inhabitants of Canada, now in London. Asks attention to this communication. Refers him for further information either to Gore or Ryland. 184

The enclosure dated 18th March, 1812, states that Canada would not be able to resist an invasion. 185

Sir Henry Torrens to Peel. The Commander-in-Chief requests that tonnage be prepared for the conveyance of certain troops to Canada. 189

Harrison to same. Having laid before the Lords Commissioners of the Treasury a letter from Mr. Caldwell relative to paying into the Military Chest at Quebec the moneys arising from the estates of the late order of Jesuits in Lower Canada, transmits the same for Lord Liverpool's opinion thereon. 190

Torrens to same. How the 104th Regiment is stationed. This corps is under great difficulties for want of efficient officers. His Royal Highness recommends that a company be added to this regiment for the purpose of recruiting. 192

Augustin Boiton to Liverpool. Memorial. 209

Torrens to Peel. Enclosing return of detachments for which passages to Canada are required. 197

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Enclosed. The return. Pa

April 6, Poet's Corner. Ryland to Peel. Transmits letters relating to a Canadian Cherrique suspected of being employed by the enemy as a spy. from his knowledge of him that it is more than probable.

April 6. Jane Lynd to Liverpool. Her memorial of which a copy is en was sent in about eighteen months before. As no answer has b ceived, renews her application.

Enclosed. Copy of the memorial asking for a renewal of the l a farm called Belleville near Quebec, which formerly belonged Jesuits.

April 6, Treasury Chambers. George Harrison to Robert Peel. Instructions to be sent officers commanding foreign stations (except Canada from whe turns are received) to have strict returns made at the beginning year, of the persons proposed to be employed in the public depar with salary, pay allowances, &c., with a comparative statement amount of the estimate for each separate department and that current year.

April 9, London. ——— to Liverpool. (In French.) Enclosing petition from A Boiton.

(Enclosure calendared at its proper date.)

April 9, Whitehall. Chetwynd to Peel. Respecting a Bill to be submitted to Parl to provide that no goods or commodities whatever, except such of the growth, produce or manufacture of the territories of the States shall be brought from those territories by inland naviga land carriage into the provinces.

April 10, Poet's Corner. Ryland to same. Is extremely sorry that owing to his paper on board the vessel he is unable to give information asked for wait on him (Peel) to-morrow. Asks to be allowed to carry the des to Prevost, as he sails for Canada in a day or two.

April 11. Same to same. Since being at his (Peel's) office it has occu him that Sir James Craig did not particularly mention the Estates in any one of his despatches to Liverpool. Has by him of the written instructions which were given him on his depart England. Encloses an extract respecting the Estates.

Enclosed. The extract.

April 17, Horse Guards. Duke of York to Liverpool. Recommends an exchange betwe 1st Batt. Royal Scots stationed eleven years in the West Indies, 4th Batt. of the 60th.

April 18, Horse Guards. Sir Henry Torrens to Peel. Stating where the 1st Batt. of the Scots is stationed.

April (?) 21, London. Joseph Cheniquy to same. Acknowledging answer to his lette 15th instant. Finds his endeavours to serve Government disap As Lord Liverpool's answer is conclusive thinks himself at li offer his services to some other government in amity with Britain.

April 21, Admiralty Office. John Barrow to same. To know when the troops will be re transport.

April 21, Washington. Augustus J. Foster to Castlereagh. Despatch No. 1, contain Prince Regent's command that he should make diligent enquir the actual military establishments of the United States receive taken measures to procure the most accurate information and ex be able to forward a complete statement by the May packet. S marks on the United States army officers and the political aspect country.

Enclosed. Debate on the Navy Bill, taken from the *Nationa ligencer*, of 14th April, 1812.

An Act in addition to that entitled "An Act to raise an ad military force."

812

"An Act to authorize a detachment from the militia of the United States," taken from the *National Intelligencer*, April 21st, 1812. Page 286

23, port

Alexander McLeay to Peel. Concerning the time when the troops will be ready to embark. 223

23, Guards.

Sir Henry Torrens to same. The troops mentioned now ready for transport. 224

24, Guards.

Same to same. Stating the strength of the detachments of the 98th and 100th Regiments. 225

25, Adty Office.

John Croker to Peel. H.M.S. "Minerva" is to give protection to the transports carrying the 60th to the West Indies, and asks to be informed of the several places to which they are successively to proceed, that distinct instructions may be given for the performance of this duty. 226

25, n.

Charles Stuart to ———. In answer to letter of 10th April, respecting the suspicions entertained of a native of Canada, Joseph Cheniquy, states what he knows of him while in Lisbon. Encloses two letters from Cheniquy. 255

(In W. Hamilton's of 21st May.)

27, Adty Office.

J. W. Croker to Peel. H. M. S. "Minerva" is to give protection to the transports to Barbados and Rear Admiral Sir Francis Laforey is to give protection to the various other destinations. 227

27, Guards.

Torrens to same. The Commander-in-Chief proposes that the 41st Regiment should return to England on the arrival of the 4th Battalion of the 60th at Quebec. 229

27, Adlty.

Croker to same. Requests an immediate answer to his letter of the 25th inst. 230

28, sport

Alexander McLeay to same. The strength of the Battalion 60th Regiment is increased to 1,077 rank and file. 233

2

Mr. Bond to same. Transmitting two pamphlets which plainly indicate the condition of the State of Massachusetts, as well as the general grounds of apprehension of war with Great Britain which prevailed in the United States at the period alluded to in his (Peel's) conversation yesterday. 234

3, shington.

Foster to Castlereagh. (Extract.) Enclosing copy of a circular letter sent by the Secretary of War to the Governors of the different States calling upon them for their quotas of 100,000 militia voted this winter. Genoral Harry Lee has accepted the office of Adjutant General, Colonel Talmage had refused both that situation and the Quarter Master Generalship. Mr. Lewis, the future Quarter Master General, has assured him that the returns of recruits amount already to 3,000 men. Doubts the statement. A Bill is pending laying such rigid restrictions on the Quarter Master and Commissary Generals as to prevent any respectable men from taking the offices. The part of the Bill relating to the appointment of additional officers in the U. S. Army struck out. A report is published of an armed British and Indian force being about to enter the United States, probably intended to irritate and to influence the New York elections. 290

Enclosed. Copy of a circular letter from the *National Intelligencer* 25th April, 1812. 292

4.

Memo. for Col. Bunbury. Mr. Destemauville, Deputy-Supt. of Military Roads in Lower Canada, wishes to sail in some transport bound for Quebec. 235

6, sury mbers.

Harrison to Peel. Transmitting all the papers concerning the appeal of Christopher Sanguinet relative to the boundary line between the Seigniory of La Salle and the adjoining lands of the Crown. The Commissioners of the Treasury wish to be informed if any communication has been received from Canada upon the subject. 236

1812.
May 7, Foreign Office. Castlereagh to Foster. Despatches received. The intelligence of the disclosure made by Henry and communicated in No. 13, has reached this country through the American press. The Prince Regent desires that immediately upon receipt of this he (Foster) deliver to Mr. Munro an official note, disclaiming on the part of the British Government any knowledge of the nature of the mission upon which Mr. Henry was sent by Craig until several months after the whole was terminated and after Mr. Henry was specially recalled from the United States, and that no authority or instructions were ever given by this Government to Craig to send any mission of that description into the United States. He is also to state to the American Government that when this Government was first notified of Henry's mission they understood that he was sent for the purpose of procuring information at a time when military preparations were actually making for the invasion of Canada. He is also to intimate that the Prince Regent was both surprised and concerned that the U. S. Government did not at once on receiving the information require an explanation through him (Foster) and not resort to the extraordinary measure of bringing forward a charge against the British Government. The Prince Regent hopes the explanation will be received in the same spirit in which it is made. Page 230

May 14, Admiralty Office. John Barrow to Col. Bunbury. Mr. John Black has applied for a passage to Quebec. Asks Lord Liverpool's opinion on the application. 237

May 14, Foreign Office. W. Hamilton to same. Enclosing, for Lord Liverpool's information, copy of a despatch from Lord Castlereagh to His Majesty's Envoy in the United States on the subject of the disclosure to the American Government of Henry's correspondence. 238

(Enclosure calendared at its proper date.)

May 16, London. Joseph Cheniquy to Peel. States that while in Lisbon he fell in with an Italian who closely questioned him about affairs in Canada and pointed out the great advantage to be derived by that country if it could separate from Great Britain and that if the Canadians showed a desire the French would be ready to help. He wanted some prints of French victories to be sent to Canada, which he (Cheniquy) undertook to send out; being suspicious, informed the British Ambassador who caused the pictures to be seized and brought back to Lisbon. Asks for some situation as he is in great poverty. 245

May 18, Treasury Chambers. George Harrison to Lieut.-Col. Bunbury. Enclosing list of promotions in the Commissariat Department. 250

Enclosed. The list. 251

May 21. Greenwood Cox and Co. to ———. Asking to be informed if Sir George Prevost's proposal for raising the Glengarry Light Infantry has been acceded to. 252

May 21, Foreign Office. W. Hamilton to Peel. Transmits, to be laid before Lord Liverpool, copies of a despatch and its enclosures from Mr. Stuart at Lisbon, relative to Joseph Cheniquy, together with a letter from Cheniquy to Castlereagh. 153

(Enclosures calendared at their respective dates).

June 9, Office of Ordnance. R. H. Crewe to Peel. The "Cambo," with the ordnance stores for Quebec sailed for Portsmouth on the 19th October, and, after wintering at Bermuda, sailed for Quebec on the 20th April. The 7,000 stand of arms forwarded in her completed the supply for 10,000 men, the number mentioned in Liverpool's letter. 263

June 10, Foreign Office. W. Hamilton to Col. Bunbury. Enclosing, for the information of the Earl of Liverpool, extracts of two despatches from His Majesty's Envoy at Washington. 264

(Enclosures calendared at their respective dates.)

1812-13. F. Preeling to Peel. Acknowledging letter respecting the inadequate salaries of the postmasters at Quebec and Halifax. The matter will be considered. Page 295

18, tehall. J. Beckett to same. Enclosing a pardon for Geneviève Piché. 296

Enclosed. The pardon. 297

23, ury ibers. Harrison to same. Transmitting memorial from sundry merchants of London, praying for compensation for loss sustained by the Michillimackinac Company through the seizure of their bateaux by the Americans in 1808, for Lord Bathurst's opinion thereon. 298

24. Sir Watkin (?) to Bathurst, sending letters from Canada which may be interesting to Government. 299

ber 15, George. Return of killed, wounded and missing of the army under the command of Major General Isaac Brock, in an action at Queenston (sic), Niagara, on the 13th of October.

(In Prevost's No. 16, of 5th November.) 14

ber 15, George. Return of killed, wounded and prisoners of war, in the action at Queenston (sic.), Niagara, on the 13th October. 16

(In Prevost's No. 16, of 5th November.)

ber 15, George. Return of ordnance, stores, &c., captured at Queenston, Niagara, on the 13th October. 17

(In Prevost's No. 16, of 5th November.)

ber 26, treal. Prevost to Bathurst. Recommends his brother, a post captain in the Royal Navy, to be appointed for the purpose of organizing such a marine establishment as His Majesty's Government may deem sufficient for the Canadas. 2

ber 27, treal. Same to same. (No. 15.) The vacancies in the Legislative Council caused by the deaths of Messrs. Perrault and Boucherville, the advanced age and infirmities of some members and the absence of others, render it necessary that the number should be increased. Submits the names of James McGill, Jean-Antoine Panet and William McGillivray. Would have recommended McGill before, but thought he would object to attending at Quebec; on finding he does not, asks that the *mandamus* be antedated to give him precedence. 3

mber 5, treal. Same to same. (No. 16.) Despatches Nos. 3 to 7, inclusive, received. The several communications which he has had the honour of addressing to him (Bathurst) must have long ago shown that the conduct of the President has not corresponded with the just expectation of His Majesty's Government, and that the repeal of the Orders in Council which was made the ostensible object of the war on the part of America has not tended in the smallest degree to check its progress or to interrupt the designs for the invasion of the Canadas. Under these circumstances, it would certainly be regretted should the reliance placed by His Majesty's Government upon the good faith of America have induced it to withhold any part of the help so indispensably necessary for the defence of the Canadas. The contest could not long continue, as the foe can so easily augment his forces to almost any extent. Is led to make these observations as all hope of reinforcements before spring is gone. His despatch, No. 6, came too late for him (Prevost) to make any use of the regiments sent to Halifax and Bermuda. Nova Scotia does not need at present a regiment for its defence. New Brunswick stands little in need of help. Bermuda is well protected by the shoals and rocks, so that these regiments should have been sent to strengthen the sorely menaced Provinces. The small force he has must ultimately give in. Is satisfied that whenever the pressing exigencies in other

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parts of the world will permit, the Prince Regent will consider how limited the means for the defence of British North America are. Encloses returns of killed and wounded at Queenston and also returns of arms, &c., taken on that day. The colours have been committed to the charge of Capt. King to be laid at the feet of the Prince Regent. Last news from Sheaffe report no further attack on Fort George. Great preparations making by the enemy to obtain the superiority of the lakes; many ships building in their harbours on Erie and Ontario. Naval officers and seamen needed for the Canadian vessels. The disadvantages from want of specie are effectually removed. Transports with arms and ammunition received. Is glad that his (Prevost's) idea as to the employment of the Indians is so entirely in accord with his (Bathurst's). Will observe the greatest economy in every branch of the service. Page 5

(Enclosures calendared at their respective dates.)

November 5, Montreal. Prevost to Bathurst. (No. 17.) Despatch No. 6, received. As the acceptance of the resignations of Williams and DeBonne and the appointment of successors was quite unavoidable, hopes the appointments will be confirmed. 18

November 7, Montreal. Same to same. (No. 18.) Enclosing prices current at Quebec for August, September and October. 20

Enclosed. Quebec prices current for August. 21

Ditto for September. 24

Ditto for October. 27

November 7, Montreal. Prevost to Bathurst. (No. 19.) Transmitting naval officers' returns of vessels entered inwards and cleared outwards from Quebec for the quarter ending 5th July last. 30

November 7, Montreal. Same to same. (No. 20.) Transmitting a deal box containing exemplifications of the Act passed in the two last sessions of the Provincial Legislature, of which he encloses a schedule. 31

Enclosed. The schedule. 32

November 10, Camp near Buffalo. Smyth's proclamation to the men of the State of New York. 134

Answer of the men of New York inhabiting the western district. 136

Smyth's proclamation to the soldiers of the Army of the Centre, dated 17th November. 139

(In Prevost's No. 30, of 17th December.)

November 18, Montreal. Prevost to Bathurst. (No. 21.) In his despatch No. 50, of 8th June last, had the honour of submitting a statement of the debt due by Government to the Provinces of Lower Canada and of the manner in which the same had been incurred, at the same time stating that the amount of the debt might soon be called for. As the increased expenditure owing to the war has exhausted the Civil Chest, he has been under the necessity not only of repaying the sum of £25,000 due from the Government to the province, but of advancing the further sum of £15,000. Encloses a list of the salaries not provided for by the Legislature and for which he has directed the sum of £5,103 sterling to be issued to the Receiver General from the Military Chest. Draws attention to the inadequacy of the salary allowed to the bishop of the Catholic Church in this country. Has always received from Bishop DuPlessis the most cordial and ready assistance in forwarding the views of His Majesty's Government. Attributes the ready obedience of the militia and the facility with which the army bills were circulated in a great measure to the influence of the Catholic clergy. Transmits representation from Committees of Trade at Montreal and Quebec. 3[illegible]

Enclosed. List of payments made by the Receiver General of Lower Canada and not laid before the Legislature. 3[illegible]

November 18, Montreal. Prevost to Bathurst. (No. 21 duplicate.) Enclosing a return of men declaring themselves to be British born subjects, selected from among

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the prisoners recently taken at Queenston in the service of the United States. They have sailed for England to be disposed of as the Prince Regent may direct. Page 39

Enclosed. The return. 40

vember 18, rning St. Draft of a letter to Prevost. (Private and confidential.) As the United States have appointed Mr. Mitchell to act as agent for prisoners of war at Halifax, and as Sir John Sherbrooke thinks he is also commissioned to communicate to his Government such information as he may from time to time collect, he proposes that an intelligent person be employed in a similar capacity in the United States. He (Prevost) is to consult with Sir John Sherbrooke on this subject. Should the United States refuse to receive an agent a similar line of conduct is to be adopted regarding Mr. Mitchel. 41

vember 21, ambly. Prevost to Bathurst. (No. 22.) The enemy frustrated in their designs for taking Kingston. Great necessity for keeping the Naval superiority on the lakes. Vessels building. Recommends that the marine on the lakes be a naval establishment under the control of the Navy Board, and that proper officers be appointed by that board; till this is done the forces under his command will not be as efficient as they might be. The enemy's force encamped at Plattsburg is advancing to the village of Champlain with the avowed purpose of penetrating into the frontier. He has sent troops under Col. Baynes to the support of Major General DeRottenburg. The enemy has made several reconnaissances beyond the lines into the province, their army, though not large may be reinforced and therefore he is obliged to collect all his disposable troops near this frontier. The lateness of the season, &c., leads him to think that if not immediately reinforced they must in a few days retire. 43

vember 21, ambly. Same to same. (No. 23.) The clothing, &c., wanted for the Embodied Militia and Voltigeurs. 50

vember 28, Prairie. Same to same. (No. 24.) Since his last report from Chambly the vigor of the enemy's operations against Lower Canada has gradually declined and terminated on the 22nd in a complete retreat upon Plattsburg, Burlington and Albany, where he is informed they intend to take up their winter quarters. Encloses copies of the general orders he has issued to the Militia of Lower Canada upon this occasion. The improvement in character and disposition of the Canadian peasantry is caused by their being called on to protect their own country. A small body of militia called Voyageurs, stationed at St. Regis, were taken prisoners by the Americans; he had thought proper to direct as a measure of retaliation that an attempt should be made to carry off an American party stationed in the Block House at Salmon River, which service has been most effectually performed; for the particulars encloses copy of general order issued on the occasion. The President's Message to Congress contains such strong evidence of the hostile intentions of that Government that he feels confident reinforcements, &c., will be afforded him (Prevost) to successfully terminate the war. 52

Enclosed. General orders dated 26th November. English, 56; French, 57. 56,57

Ditto dated 27th November. English, 60; French, 61. 60,61

Ditto dated 27th November, upon the attack on Salmon River. English, 64; French, 65. 64,65

vember 28. Return of the killed, wounded, and missing in the affair with the enemy on the Niagara Frontier. 128

(In Prevost's No. 30 of 17th December.)

vember 30, ntreal. W. H. Robinson, Commissary General, to Prevost. Respecting the provisions required. 70

(In Prevost's No. 25 of 1st December.)

1812.
November 30, Montreal. Same to same. Difficulty of provisioning the troops. Has not a proper supply of clerks, storekeepers, &c., men should be sent out from England. Some remarks on the officers of the department. Page 73
(In Prevost's No. 25 of 1st December.)

November 30, Chippawa. Major General Sheaffe to Prevost. An attack was made on our batteries opposite Black Rock on the 28th instant. The enemy repulsed. A short account of the engagement. 114
(In Prevost's No. 30 of 17th December.)

December 1, Montreal. Prevost to Bathurst. (No. 25.) Enclosing copies of two letters from the Commissary General of British America and addressed to him (Prevost). The subject of them is important. 68
(Enclosures calendared at their respective dates.)

December 1, Montreal. Same to same. Enclosing schedule of the Acts passed in the last two sessions of the Provincial Parliament which should have accompanied his despatch, No. 19. 82
Enclosed. Schedule. 83

December 1, Frenchman's Creek. Lt.-Col. Cecil Bisshopp to Sheaffe. An account of the action at Black Rock on the 28th ult. 120
(In Prevost's No. 30 of 17th December.)

December 4, Fort George. Sheaffe to Prevost. Enclosing Col. Bisshopp's report of the engagement of the 28th ult. A return of the killed, wounded and missing, also sundry other documents, among them a proclamation by Brig. General Smyth. The character of the latter is such as to reflect great discredit on those connected in its publication. He (Prevost) will see by some of the accompanying papers that a want of confidence existed between the General and his troops. 118
(In Prevost's No. 30 of 17th December.)

December 7, Quebec. Prevost to Bathurst. (No. 26.) Enclosing prices current and rates of exchange at Quebec for November last. 90
Enclosed. Quebec price current for November. 91

December 7, Quebec. Same to same. (No. 27.) Enclosing, in answer to despatch No. 8, a judgment delivered in the Court of King's Bench, the answer of the Chief Justice of that Court to the memorial of the Judge of the Vice-Admiralty Court, alluded to in his (Bathurst's) despatch. 94
Enclosed. Judgment signed by J. Sewell on the memorial of the Judge of the Vice-Admiralty Court. 96

December 10, Quebec. Prevost to Bathurst. (No. 28.) Enclosing copy of a treaty entered into between Major General Dearborn and himself for the release of prisoners on parole and for their eventual exchange. 104
Enclosed. The treaty. 105

December 15, Downing St. Draft of a letter to Prevost. (No. 17.) His Royal Highness approves of the appointment of Mr. Edward Bowen as Attorney General of Upper Canada. 147

December 16, Quebec. Prevost to Bathurst. (No. 29.) Clothing for the Militia wanted. Hopes upon the next meeting of Parliament to be empowered to embody a considerable number in addition to those already employed. In the event of the continuation of hostilities he would require cavalry appointments for 400, and 500 pistols. Also recommends that 10,000 stand of arms be shipped for Quebec. 109

December 17, Quebec. Same to same. (No. 30.) Enclosing despatches from Major General Sheaffe, containing an account of an attack made by the enemy on the 28th ult., which was repulsed with trifling loss. The enemy suffered considerably in killed and wounded, with one Captain (King) and 38 men taken prisoners. The particulars are given in Sheaffe's despatches. Lieuts. King, R. A., and Lamont, 49th., were severely wounded. Encloses also copy of the general order which he issued on the occasion. 112
(Enclosures calendared at their respective dates.)

r 17, General orders issued on receipt from Sheaffe of the news of the engagement of the 28th ult. Page 130
(In Prevost's No. 30 of 17th December.)
r 18, Prevost to Bathurst. (No. 31.) Enclosing a requisition for stationery for the Civil Department, Lower Canada, for 1813. 143
Enclosed. The requisition. 144
r 18, Prevost to Bathurst. (No. 32.) Transmitting copy of the proceedings of the Executive Council on Matters of State, between 7th June, 1812, and 21st July following. 146
Memo. for Peel. Received from Sir R.George respecting the destination of the transports. 231

MISCELLANEOUS 1812.—*Continued.*

Q. 120.

8, General order announcing another brilliant victory achieved by the army under Procter at Detroit. English, 189; French, 192.
J. Inglis to Liverpool. Is requested by the Committee of merchants interested in the trade and fisheries of the British North American Colonies to transmit the enclosed copy of a communication made to them by several highly respectable inhabitants of Upper and Lower Canada now in London, on the Military state of those colonies. Asks his (Liverpool's) attention to the same and for further information refers him to Sir Francis Gore. 21
Enclosed. The communication dated 18th March, 1812, calls attention to the danger threatening these colonies in the event of war. 22
———. to Lt.-Col. Thornton. (Extract.) The success is greater than expected. The bounty offered is so small that many of the officers have had to draw from their own funds for expenses. Has purchased green cloth for uniforms. Sir George Prevost expresses himself highly satisfied with our labours. Has incurred many debts and if not made Colonel will be half ruined. 32
J. Barker, Deputy Storekeeper General, to Harrison. The 200 cavalry sabres ordered were shipped on the 27th ult. 4
(In Harrison's of 13th July).
Baker to Castlereagh. (Extract.) Enclosing copy of an act of Congress ton. making provision for the more perfect organisation of the Army of the United States. 57
Enclosed. The Act. 58
Abstract referred to. 60
(In Hamilton's of 24th August).
Harrison to Peel. Enclosing letter from the Storekeeper General, reporting the shipment of 260 cavalry sabres. 3
s. (Enclosure calendared at its proper date).
Torrens to same. The Commander-in-Chief requests that tonnage may ards. be provided for troops to North America. 5
Harrison to same. £2,000 has been advanced to the Receiver General of Upper Canada, in aid of the Civil expenditure of that province, by Commissary General Robinson. 6
Vice-Admiral Sawyer to Croker. Relating to the naval arrangements. 46
Chetwynd to Peel. The Lords of Trade have considered the papers l. relating to the claims of Messrs. Campbell and Grece, and are of opinion that Mr. Campbell has no claim beyond his salary to November, 1811, and that Mr. Grece should be granted a lease of the farm now occupied by him on reasonable conditions for a term of seven years. 7
A. Sutherland to William Merry, Deputy Secretary at War. Suggests that it would be well to enquire about the men of the Highland Fencible

1812.
Regiment who emigrated to Canada on the disbanding of that regiment in 1799. Page 12
(In Lukin's of 29th July.)
July 28. F. Freeling to Peel. Relating to the mails between Quebec and Halifax, and to the winter mails from Quebec, which may be forwarded from Quebec and Halifax instead of being taken on to New York. 9
July 29, War Office. Robert Lukin to Lt.-Col. Bunbury. Enclosing letter from Mr. Sutherland, late Lieutenant 17th Regiment. 11
(Enclosure calendared at its proper date.)
August 1, Westminster. Enclosing a memorial of the committee of merchants interested in the trade and fisheries of the British North American Colonies, for Lord Bathurst's consideration. 13
Enclosed. The memorial. 16
August 1, Washington. Baker to Castlereagh. General Hull entered Canada on the 11th ult., and issued a proclamation from Sandwich, his headquarters. Accounts state that it was his intention to march without loss of time against Fort Malden, the British Force being concentrated about that place. He does not appear to have been joined by any Canadians, though, in consequence of his proclamation, some of the Militia have returned to their homes. 61
(In Hamilton's of 10th September.)
August 5, Transport Office. W. George to Peel. The "Cambo," with Ordnance stores for Quebec, sailed from Bermuda the 20th April. There can be no doubt of her arrival at Quebec, as if any accident had happened it would have been heard of. 62
August 8, Treasury Chambers. R. Wharton to same. States for the information of Lord Bathurst, that a copy of his (Peel's) letter of the 6th ult., respecting the provisions acquired for Canada, has been transmitted to the Commissioners of Victualling. 27
August 8. Commissioners of Victualling to R. Wharton. Supplies asked for, to be sent without loss of time. 41
August 10. Charles Bicknell to J. W. Croker. Asks for a copy of the answer of the Chief Justice of the Provincial Court of King's Bench at Quebec, to the memorial of the Judge of the Vice-Admiralty Court, on the subject of a claim, set up by the former court, of exclusive jurisdiction over the whole of the River St. Lawrence. 29
August 11, Admiralty Office. John Croker to same. Enclosing copy of a letter from Charles Bicknell. 28
(Enclosure calendared at its proper date).
August 11, Mr. Herries to same. In reply to his note of this date states that not any part of the clothing ordered for Canada, except the great coats, need now be shipped. Will take immediate measures to prevent the forwarding of the other articles ordered. 31
August 12. London. Memorial of the Merchants interested in the North American trade, to Bathurst. 35
August 12, Treasury Chambers. W. Wharton to Peel. Enclosing copy of a letter from the Commissioners of Victualling. 40
(Enclosure calendared at its proper date.)
August 12, Edinburgh. Ronald MacDonell, late Captain, Glengarry Fencibles, to Bathurst. Asks to be allowed to raise a company either in the Highlands or in North America for the regiment now being enlisted. 42
August 12, Commissary in Chief's Office. J. C. Herries to Peel. Immediately on the receipt of his note he took steps to prevent the shipment of clothing for the Glengarry regiment, except the great coats to be sent soon. 43
August 15, Admiralty Office. W. Croker to same. As a copy of the answer of the Chief Justice to the memorial of the Judge of the Vice-Admiralty Court on the subject of a claim set up by the former Court of exclusive jurisdiction over the whole River St. Lawrence has not been transmitted by Prevost, requests that a copy may be sent to this office. 44

1812.
ust 18, treal. Agents of the North-west Company to McTavish, Fraser and Co., Inglis, Ellice and Co., and Sir Alexander McKenzie. Respecting a proposed voyage. Page 89

ust 20, iralty e. J. W. Croker to Peel. Enclosing letter from Vice-Admiral Sawyer at Halifax relative to American affairs. 45

(Enclosure calendared at its proper date.)

ust 20, tehall. Thomas Lack to Colonel Bunbury. Enclosing copy of draft of a bill intended to be submitted at the next session of Parliament, in consequence of a memorial presented by the merchants trading to Canada, to the Lords of Trade. 52

Enclosed. Draft of a Bill intituled "An Act to allow the importation "of rum or other spirits from His Majesty's colonies or plantation in "the West Indies into the Province of Quebec without payment of duty "under certain conditions and restrictions." 53

Schedule referred to in the Bill. 55

ust 24, gn e. William Hamilton to Col. Bunbury. Enclosing extract of a despatch from Mr. Baker at Washington with copy of an Act of Congress. 56

(Enclosures calendared at their respective dates.)

ust 25, lon. William Riggs to Liverpool. He was the bearer of despatches from Canada, which on his landing were forwarded by mail. Asks for a passage back again and any help possible in forwarding the application made by Prevost to procure him the situation of lighthouse-keeper on Bic Island. 61

ust 29, treal. Prevost to Harrison. Has issued his warrant for £10,000 in aid of the Civil expenditure of Lower Canada. 98

mber 10, gn e. W. Hamilton to Henry Goulburn. Enclosing copy of a despatch from Mr. Baker, dated Washington, 1st August. 62

(Enclosure calendared at its proper date.)

mber 14, Augustus Alex McDonell, Capt. 2nd Inverness Local Militia, to Bathurst. Submitting a memorial which he (McDonell) had addressed to Lord Liverpool, with his answer. Repeats his application to raise a regiment from the Glengarry emigrants. 65

Enclosed The memorial. 66

The answer, dated 3rd April, Downing St., stating that the measures for raising a regiment are suspended. 68

mber 17, nissary ief's e. J. C. Herries to Goulburn. Respecting the great coats for the Glengarry Regiment. Encloses return of articles intended to be sent before the order was countermanded. 69

Enclosed. The return. 71

mber 21 ea. Thomas Tackle to Bathurst. Acknowledging letter of 15th instant, requesting, in writing, information as to the policy of the United States with respect to their Indian neighbours. Feels himself quite unable to give information, except verbally and with a map at hand. Will be glad to wait upon him (Bathurst) or any one he may appoint. 72

mber 24, of ances. Return of ordnance consigned to R. Fleming, Ordnance Store-keeper at Quebec. 246 to 262

mber 25, sport e. Memorandum of a particular service under orders for Nova Scotia. 74

mber 25, minster. Nat. Atcheson to Castlereagh. Transmitting memorial from the North-west Company and papers annexed. Asks for early attention. 76

mber 26, gn e. E. Cooke to Goulburn. Enclosing letter and memorial from the agent and company of North-west Merchants. 75

(Enclosures calendared at their respective dates.)

mber 27, delphia. Baker to Castlereagh. Transmitting to the Secretary of War printed copies of Hull's letters of 7th and 13th ult., giving an account of affairs at River Raisin. Since the capture of Detroit the Indians have been

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active on the Western Frontier. Accounts state that the garrison of Chicago, owing to its exposed situation, received orders to retire to Fort Wayne, but were massacred on the way by the Indians. Apprehensions for the forts on the borders of the Ohio. A large body of troops are assembling under Brigadier General Harrison, U. S. Army. The force under Major General Von Rensselaer at Lewiston with about two or three thousand men. Niagara in a most defenceless state. Major General Bloomfield was at Plattsburg on the 9th inst., with about 2,000 men. Five sloops have been purchased for the use of the U.S., to be added to the two gun boats to form a flotilla capable of commanding Lake Champlain. The headquarters of the American Army are still at Albany, although the troops are moving to Plattsburg. The naval force is all in port at present. Page 150

September 29, Quebec. W. H. Harrison, Commissary General, to J. C. Herries. The Commander of the Forces has issued his warrant upon him to pay to the Receiver General of Lower Canada £10,000 and stated his intention of immediately issuing another warrant for a further sum of £15,000; as Brock has represented to Prevost that the Civil Chest of Upper Canada is exhausted, his Excellency also intends to issue a warrant for £5,000 to be paid to the Receiver General of that province. 220

October 1, London. Petition of Messrs. McTavish, Fraser and Co., Inglis, Ellice and Co., and Sir Alex McKenzie on behalf of themselves and the agents and other persons constituting the North-west Company of Canada, for a charter. 93

October 9, Westminster. Nat. Atcheson to Bathurst. Enclosing two papers relating to the North-west Company and asking for an interview on the subject of the Company's application to His Majesty's Government for a charter. 88

(Enclosures calendared at their respective dates.)

October 12, Urbana. General Tupper to General Harrison. Report as to the causes of the failure of the expedition of mounted men under his command to reach the Rapids of the Miamis. 231

(In Hamilton's of 30th December.)

October 13, Treasury Chambers. Harrison to Goulbourn. Enclosing letter from Prevost stating that he has issued a warrant for £10,000 in aid of the Civil expenditure and asking for Bathurst's opinion thereon. 97

(Enclosure calendared at its proper date.)

October 13. Order in Council authorizing the instructions (enclosed) for guidance in the capture of all ships, vessels, and goods belonging to the United States. 99

Enclosed. The instructions. 100, 106

Standing interrogations to be administered to all persons found on board ships taken as prizes from the United States. 120

October 14, Horse Guards. Torrens to Goulburn. Enclosing for Lord Bathurst's information, copy of the Commander-in-Chief's instructions to Prevost on the subject of the New Brunswick Fencibles, and also copy of one relative to the augmentation of the Newfoundland Regiment. 140

Enclosed. The instructions dated 12th October, 1812. 141

The letter concerning the Newfoundland Regiment, dated 9th October. 143

October 14, Whitehall. H. Donaldson and Co., to Col. Bunbury. Asking on behalf of Major Coore Prevost's aide-de-camp, a gratuity of £500, in consideration of his having brought home the despatches giving the account of the surrender of Fort Detroit by the American General Hull. 144a

October 24, Quebec. George Herriot to F. Feeling. (Extract.) The Americans have made repeated efforts to conquer Canada, without success as yet. Reports say that an army of 15,000 men is within forty miles of Montreal. All idea of an amicable settlement with our neighbours is at an end. 5,000 or 6,000 men and ten sail of the line in addition to our permanent force is

the only way to put an end to the war. All their principal towns, accessible by water ought to be attacked at once. Page 167
(In Freeling's of 28th November.)

John Bridgman, Collector of His Majesty's Customs, at St. Lucia, to Bathurst. Being captured and held prisoner in the United States for several weeks, he had a good opportunity for studying the sentiments of the people respecting the war. Would make an appointment for an interview. Sends with this communication a few American newspapers and a pamphlet. 145

W. Hamilton to Goulburn. Transmitting for Lord Bathurst's information the copy of a despatch from Mr. Baker. 149

Baker to Castlereagh. (Extract.) Giving some idea of the views of the United States on the Spanish possessions in North America. 213
(In Hamilton's of 25th December.)

C. Stuarton to Liverpool. (Private.) Enclosing an article on Canadian Finances. 77

Enclosed. The article. 80

Nat. Atcheson to Goulburn. Asks that the North-west Company's application for a charter be attended to 153

Baker to Castlereagh. (Extract.) Giving an account of the disposition of the American troops on the frontiers of Canada. 209
(In Hamilton's of 25th December.)

J. C. Herries to Harrison. Transmitting copy of a letter from Commissary General Robinson, stating the sums which have already been issued in aid of the Civil Chests in Canada. 219

Baker to Castlereagh. (Extract.) The failure of an attempt made by a detachment of the United States troops to proceed to the Miamis Rapids below Fort Defiance. Encloses copy of report, from the officer commanding that detachment. 224
(In Hamilton's of 30th December.)

J. W. Croker to Admiral Sir J. B. Warren. Instructions for his guidance. 170

Nat. Atcheson to Goulburn. Enclosing memorial for Lord Bathurst's consideration. 154

Enclosed. Memorial of the North-west Company. 155

The Lords Commissioners to Bathurst. Respecting the orders to be given to Admiral Sir John Warren. 163

Nat. Atcheson to Goulburn. Asking that the North-west Company be favoured with an interview at an early date. 165

F. Freeling to W. Hamilton. Enclosing extracts of letters from George Heriot at Quebec. 166
(Enclosure calendared at its proper date.)

J. W. Croker to Goulburn. Sending copy of his letter of the 18th inst., to Admiral Warren. 169

John Trotter to Harrison. Acknowledges letter of 30th ult., directing that 10,000 suits of clothing be forwarded to Quebec with the same number of sets of accoutrements and the presents for the Indians. Encloses return of the articles which he considered to be required by the letter and asking if it is correct. 186

Enclosed. The return. 187

The Comptrollers of Army accounts to the Lords of the Treasury. Report on a letter from Commissary General Robinson respecting the payment of £10,000 to the Receiver General of Quebec in aid of the Civil Chest. 217

Harrison to Bunbury. Transmitting letter from the Store-keeper General. 185

1812. December 18, Quebec. E. B. Brenton to Adam Gordon. Transmitting list of warrants. Page 188

December 18, Admiralty Office. John Barrow to Goulburn. Respecting transport for the troops. 195

December 20, High Wycombe. Howard Douglas to Bathurst. Observations on the extraordinary measures necessary to defeat the attempts shortly to be made by the American Government to gain a naval superiority on the Lakes of Upper Canada. 197

December 21. Charlotte de la Garde (née de Behm) to ——. Asking for compensation in lieu of a grant. 200

Enclosed. Papers relating to the claim. 202, 205, 206

December 25, Foreign Office. W. Hamilton to Goulburn. Enclosing extract of a despatch from Mr. Baker to be laid before Earl Bathurst. 208

(Enclosure calendared at its proper date.)

December 25, Foreign Office. Same to same. Enclosing extract of a despatch from Baker to be laid before Lord Bathurst. 212

(Enclosure calendared at its proper date.)

December 26, Treasury Chambers. Harrison to same. Transmitting report from the Comptrollers of Army accounts respecting the payment of £10,000 to the Receiver General of Quebec, for Lord Bathurst's consideration. 216

December 29, London. Simon McGillivray to same. When the persons representing the North-west Company were admitted to an interview with Lord Bathurst, he promised to use his influence to procure a convoy to their ship fitting out for the Columbia River and also arrange with the Russian Ambassador some way in which our traders and the Russian settlers and traders might meet on a footing of friendship. Asks what has been done in the matter. 221

December 30, Foreign Office. Hamilton to Col. Bunbury. Enclosing extract of a despatch from Baker, dated 11th November. 223

(Enclosure calendared at its proper date).

December 30, Ordnance Office. R. H. Crewe to Goulburn. Transmitting for Lord Bathurst's information lists of the Ordnance stores embarked for Canada on board the "Cambo" and "Lady Johnstone," transports. 245

No date. J. Searle to Castlereagh. Enclosing copy of letter from John Blackwood of Montreal. 176

Enclosed. The letter dated 17th October, 1812, gives advice as to the best mode of making war with the United States. 177

No date. "British Official Account of the Battle at Queenston," from the Plattsburg *Republican*, copied from the Montreal *Herald* extra of 21st October. 225

(In Hamilton's of 30th December.)

Governor Sir G. Prevost, 1813.

Q. 121.

1813. January 15, Quebec. Prevost to Bathurst. (No. 33.) Had opened the Provincial Legislature on the 29th ultimo. Encloses speeches on the occasion. Nothing particular has occurred on the frontiers since the enemy went into winter quarters: he has been principally employed lately in reinforcing the Upper Province and forwarding supplies for building vessels there. The different requisitions sent to England should be complied with as speedily as possible. Has been obliged to supply the embodied militia in both provinces with clothing till further supplies arrive. 2

Enclosed. Speech on opening the Legislature. English. 4

French. 11

13.
ry 15, Prevost to Bathurst. (No. 34.) Transmitting copies of the proceedings of the Executive Council on Land matters between 12th November, 1811, and 26th December, 1812. Page 18
ry 16, Same to same. (No. 35.) The enemy having shown a disposition to carry on a winter campaign, has thought it wise to reinforce Upper Canada and strengthen the line of communication between Montreal and Kingston. Has given Sir John Sherbrooke, commanding in Nova Scotia, conditional instructions respecting troops under his command. Hopes these arrangements will be approved. 19
ry 22, Same to same. (No. 37.) Mr. Justice Panet, a judge of the Court of King's Bench for the District of Montreal and a member of the Executive Council, died on the 2nd ultimo. Has appointed Mr. Justice Foucher, Provincial Court Judge for Three Rivers, to the situation left vacant by the death of Panet and Mr. Pierre Bédard to Foucher's place. 49
ry 22, Same to same. (No. 38.) Enclosing letter from the Judge of the Provincial Court of Vice-Admiralty, for consideration. 51
Enclosed. J. Kerr, Judge of the Court of Vice-Admiralty, to Prevost dated 4th August, 1812, urging the necessity of having a prize court established at Quebec. 52
ry 22. Return of killed and wounded in the action at River au Raisin. 75
(In Prevost's No. 43 of 8th February.)
ry 22. Return of prisoners taken after the action at River au Raisin. 77
ry 22, G. Macdonell, Major Glengarry Light Infantry and Lt.-Col. Commanding the Eastern District of Upper Canada, to the Adjutant General of the Forces. Account of the action at and near Ogdensburg on the 22nd February, when after about an hour's action his position was taken. 110
(In Prevost's No. 46 of 27th February.)
ry 25, Col. Henry Procter to Major General Sheaffe. Details of the victory over the forces under Brigadier General Winchester, at River au Raisin. 71
(In Prevost's No. 43 of 8th February.)
ry 25, Return of the arms, ammunition, &c., taken from the enemy at River au Raisin. 76
(In Prevost's No. 43 of 8th February.)
ry 26, Prevost to Bathurst. (No. 36.) Encloses copy of a memorial from Robert Dickson, with a statement of expenses incurred by order of Major General Brock for articles supplied to the Indians; also proceedings of a board which he (Prevost) called to consider the same. From the report of this board has been induced to order Mr. Dickson to be reimbursed and also given £300 for his services in bringing forward the Indians to aid in the capture of Michillimackinac and General Hull at Detroit. Has drawn for the money under the head of *secret service.* Has appointed Mr. Dickson to the Indian Department as his knowledge of and influence with the Indians will be invaluable. 21
Enclosed. Statement of Dickson. 26
Proceedings and report of the board. 29
List of articles to be sent to Michillimackinac on the opening of navigation, to be distributed to the Indians. 45
Ditto to be sent to Chicago, for a similar purpose. 47
ary 6, Prevost to Bathurst. (No. 39.) His anxiety about the Naval force to be employed on Lake Ontario in the spring, has decided him to visit the dock yards at Kingston and York, he will also visit Prescott and Fort George. 56
ary 7, Same to same. (No. 40.) Will give immediate orders for the levying of a corps of Fencible Infantry under Lieut. General Coffin in New Brunswick and Nova Scotia, according to the Prince Regent's desire. Since the Glengarry levy has been approved he has raised the bounty money for that corps from six to eight guineas for each recruit to put it on the same footing with the other Fencible Regiments. Has also augmented

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the bounty to the Canadian Voltigeurs from £4 to £5. Hopes these measures will be approved. Asks to be allowed to extend the same indulgence in bounty and promise of land to the New Brunswick Fencibles as is granted to the Glengarry Light Infantry. Page 57

February 8, Quebec. Same to same. (No. 41.) Despatches 10, 11, and 12 received. The Prince Regent's entire approbation of Major General Brock's conduct and his appointment to be an extra Knight of the Bath would have been very gratifying to him had he not unfortunately fallen in action. According to the desire of the Prince Regent he has taken the first opportunity to signify to the Army in British North America his approbation of the judicious conduct of Major General Brock, the zeal shown by Colonel Procter and other officers, the bravery of the troops and the steadiness of the Indians under Col. Elliott and Capt. McKee and the humanity with which they treated their prisoners. This praise will have a stimulating effect. The satisfactory conduct of the Militia. As about 900 of the select Embodied Militia will be entitled to their discharges next June, he has ordered a draft from the Sedentary Militia of 2,200 men to replace them. The five battalions of select Militia will then number 4,000 men exclusive of Voltigeurs and Volunteer cavalry. Clothing is to be issued to them in April. Notwithstanding the season, four companies of the King's Regiment have marched from Montreal to Kingston. The new ship building there is rapidly being completed. The keel of a new vessel has been laid at Amhersburg. Seamen are needed. Eighty guns with their stores are on the way from Quebec to strengthen the posts at Prescott, Kingston and York. Lieut.-Col. Bruyères has been ordered to visit the principal posts in Upper Canada to give the necessary orders for strengthening them. As this is the only season when it would be possible to leave Quebec he intends to spend a few weeks visiting the Upper Canadian posts in order to form from personal observation an idea of their resources. Hopes to close the Legislature before leaving, after obtaining from them the liberal supply of money required for the Militia and the necessary Acts for carrying into effect certain measures. In obedience to orders, will direct Major General de Rottenburg to assume the Civil Administration of the Government. 59

February 8, Quebec. Same to same. (No. 42.) Circular of 12th September, stating the directions which have been given for applying the specie found on captured American vessels and deposited in the Courts of Vice Admiralty, received. The issue of Army Bills has to a great degree relieved the embarrassment caused to the public service from the want of specie. The additional Army Bill Act passed this session will be a great help. 66.

February 8, Quebec. Same to same. (No. 43.) Brigadier General Winchester, with upwards of 1,000 men, being the right wing of Harrison's Army, marching to attack Detroit, was completely defeated by Col. Procter, with a force not exceeding 500 Regulars and militia and 600 Indians. The result of this victory is the surrender of the General with about 500 officers and privates with nearly a like number killed and wounded. Encloses letter from Procter to Sheaffe with details. Encloses also lists of killed and wounded on our side and of the arms ammunition and prisoners taken from the enemy, the latter of which exceeds the whole of the Regulars and militia force opposing them. Major General Harrison, with the main body of his army, consisting of about 2,000 men, was reported about five days march from Winchester's division, advancing in the direction of Detroit. On hearing of the disaster he may retreat, if not, all reliance is to be placed on Col. Procter and his troops. Small reinforcements have been sent to Detroit. 68

(Enclosures calendared at their respective dates.)

February 9, Quebec. Same to same. (No. 43.) Enclosing prices current and rates of exchange at Quebec for December and January. 78

Enclosed. Quebec prices current for December, 1812. 79

Quebec prices current for January. Page 82

y 16, Prevost to Bathurst. (No. 44.) He closed the Provincial Parliament on the 15th. Encloses copies of speeches on the occasion. The Army Bill Act has met his wishes exactly. Regrets that the Bill for amending the Militia Laws did not pass. Transmits exemplification of a Bill "for "granting certain duties to His Majesty towards supplying the wants of "the Province during the present war with the United States of America "and for other purposes." Has reserved it for His Majesty's pleasure; recommends it to favourable consideration. His journey to Upper Canada has been delayed, but hopes to set out on the 17th. 85

Enclosed speeches. 89 to 103

y 16, Same to same. (No. 45.) Respecting the Bill for amending the Acts of the 28th, Geo. 3rd, C. 39. 104

y 22. Return of killed and wounded in the action of this date. 116
(In Prevost's No. 46 of 27th February.)

y 22. Return of prisoners, liquor, clothing, &c., captured from the American army at Ogdensburg on this date. 117
(In Prevost's No. 46 of 27th February.)

y 23, General orders. Announcing the success of Lt.-Col. McDonell at Ogdensburg. 119
(In Prevost's No. 46 of 27th February.)

y 27, Prevost to Bathurst. (No. 46.) Left Quebec to visit the military posts in Upper Canada on the 17th inst., arrived in Prescott on the 21st and found the enemy were posted at Ogdensburg, taking advantage of the frozen state of the St. Lawrence to make repeated nocturnal raids. Judging it safer to dislodge the enemy, he ordered Major McDonell of the Glengarry Light Infantry to make the attempt. Encloses his report on the occasion. Speaks highly of the bravery of Capt. Jenkins and Lieut. Impey. Recommends them for consideration, both being wounded. Two stand of colours have been taken which will be forwarded to be laid at the Prince Regent's feet. 106
(Enclosures calendared at their respective dates.)

ry 27, Same to same. (No. 47.) On returning from his tour in Upper Canada he was met by an officer carrying despatches from Detroit. Col. Procter, in command there, states that General Harrison with his forces had precipitately retreated on hearing of the annihilation of Brigadier General Winchester's army. By last accounts Harrison was about eighty miles from Detroit but as the road is almost impassable in places, Proctor did not pursue him. The Indian chiefs Tecumseh, Roundhead and Norton with their warriors and a chosen band from the 41st Detroit Militia are employed in interrupting the communication with Harrison's army and intercepting his supplies and reinforcements. Hopes this movement will so work upon the American Army as to render it an easy prey to the Indian force coming from the Southward under Mr. Dickson. Hopes these measures will meet with approbation. 122

1, Return of ordnance ammunition and stores taken at the attack on the enemy's post at Ogdensburgh on this date. 118
(In Prevost's No. 46 of 27th February.

17, Prevost to Bathurst. (No. 49.) Reporting the arrival of the 104th Regiment at Quebec, from New Brunswick. 138

18, Same to same. (No. 48.) Despatch No. 16 of 19th December received. Regrets to find that the arrangements entered into with regard to the release of the American prisoners of war on their parole appear in any way objectionable. He (Bathurst) was perhaps not aware of the embarrassment which the large number of prisoners would have caused to the officer commanding in Upper Canada with his very limited means of guarding and provisioning them. Does not believe any of the prisoners have violated their engagements. The port of Boston, to which parti-

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cular objection was taken, was chosen for the purpose of shortening the voyage. Encloses General Order by which it will be seen that an attempt was made by the American Government to consider General Hull and other officers as exchanged, notwithstanding his (Prevost's) assent had not been obtained. A letter of explanation, also enclosed, was immediately sent to General Dearborn. No answer received as yet. The General Order found its way into the American papers and the Court marshal on General Hull has been suspended. Page 126

Enclosed. General Orders. 130

Letter in explanation dated Quebec, 8th February, 1813. 136

March 18, Quebec. Return of ordnance, ammunition and stores captured from the enemy since the commencement of hostilities: 156

At Michillimackinac, 17th July, 1812. 156

At Detroit, 16th August, 1812. 159

At Queenston, 13th October, 1812. 164

At River au Raisin, 22nd January, 1813. 165

At the attack on Ogdensburg, 22nd February, 1813. 166

Descriptive return of ordnance captured at the above place. 167

March 19, Quebec. Prevost to Bathurst. (No. 50.) Despatches received. Is gratified that the measures he has taken for the defence of Canada have been approved. Encloses copy of a report on the British Naval force on the Lakes, accompanied by a comparative statement of the British and American Marine upon these waters. Has conveyed to Major General Sheaffe and the troops under him the entire approbation of the Prince Regent, of their courage displayed at Queenston on the 13th October last, and his regret at the loss of the Attorney General McDonell. Has assured the Indians that they will not be forgotten. Is glad to hear that the 13th, 98th and 41st (2nd Batt.) are to be withdrawn from Bermuda and sent to Canada. The exportation of this reinforcement has enabled him to strengthen the posts in Upper Canada. Is looking forward to the arrival of arms, clothing and stores in the spring. Has much satisfaction in stating that the "cabal" in Upper Canada operating against the person administering the Government has been extinguished. 140

Enclosed. The report dated Montreal, 12th March. 147

Comparative statement of the British and American forces on the Lakes. 152

March 20, Quebec. Prevost to Bathurst. (No. 51*a*.) Transmitting return of ordnance, ammunition and stores captured since the commencement of hostilities. Asks that the customary valuation be made in order that a distribution can be made to the parties concerned in the capture. 155

March 27, Quebec. Same to Sheaffe. (Confidential.) Instructions for the defence of Upper Canada. 169

(In Prevost's No. 51*b*. of 2nd April.)

April 2, Quebec. Same to Bathurst. (No. 51*b*., should be 52.) Enclosing copy of his letter of instructions for the defence of Upper Canada, to Sheaffe. 168

Enclosure calendared at its proper date.)

April 8, Quebec. Memorial of Herman W. Ryland, clerk of the Executive Council of Lower Canada, asking for an increase of salary. 186

April 9, Quebec. Prevost to Bathurst. (No. 53.) Enclosing prices current and rates of exchange at Quebec for February and March. 175

Enclosed. Quebec prices current for February. 176

Ditto for March. 179

April 20, Quebec. Prevost to Bathurst. (No. 54.) Submitting the arrangements he has made in the establishments of the offices of Register (*sic.*) and Clerk of the Executive Council and Civil Secretary of the Province. 182

April 21, Quebec. Same to same. (No. 56.) Despatches 18, 19 and 20 received. Hopes the extraordinary efforts made by the enemy to obtain the ascendancy on Lake Ontario will justify his measures. Is glad to hear of the approach

1813. by land of several naval officers sent from Halifax, their assistance will be most opportune as the loss of the ascendency on Lake Ontario would immediately expose Upper Canada to devastation. To shield that province he has marched some troops from the lower, their place to be filled by augmenting the militia. Encloses a return of the Lower Canadian militia that the Prince Regent may be enabled to judge of the assistance afforded by the Canadians. The difficulties of forming efficient corps in Upper Canada are greater. The legislature there has increased the bounty to $8 and Sheaffe proposes a further augmentation to afford the recruit a reasonable outfit. Is pleased to hear that the number of British seamen ordered to Canada has been increased to 300. The observations in despatch No. 20 not all applicable in the present state of the country. After the battle of Queenston, Sheaffe lost a glorious opportunity of crossing the river and destroying Fort Niagara. He (Prevost) has hitherto carefully avoided any offensive movement upon the American territory except as a just retaliation; when the reinforcements from the Baltic arrive, he will be enabled to convert his defensive into offensive operations. Page 194

Enclosed. Return of militia in Lower Canada. 199

il 22, Prevost to Bathurst. Reporting that he has accepted an offer made to him by Mr. Coleman, a merchant of Montreal, to raise at his own expense a troop of light cavalry consisting of fifty men. Asks for clothing, &c., for the same. 200

il 23, Same to same. (No. 58.) Has authorized two companies of Provincial Drivers and one company of Provincial Artificers, to be raised. 202

il 28, Same to same. (No. 55.) Enclosing memorial from the commissioners for rebuilding the church (Protestant Episcopal) at Montreal, to the Prince Regent. 190

Enclosed. The memorial. 191

il 28, Same to same. (No. 59.) Enclosing schedule of the Acts passed in the last session of the Legislature of Lower Canada, also printed copies of the Journals of the House of Assembly for the two preceding sessions and a manuscript copy of the Journals of the Legislative Council for last session. 205

Enclosed. The schedule. 206

y 2, York. W. Allan, Major 3rd York Militia, to Sheaffe. In obedience to orders, he, Lt.-Col. Chewett, and Rev. Dr. Strachan entered into terms of capitulation with the commander of the enemy's forces on the 27th ulto. (Encloses copy.) The terms were not ratified till next afternoon, during which interval the inhabitants were exposed to every sort of depredation and insult. After the ratification, his (Sheaffe's) baggage and all public stores were carried off, the public buildings burnt and the troops are now embarking, though every one seems ignorant of their destination. Few houses in the town escaped search and some were badly pillaged. Forty wounded men were left here without medical assistance. 217

Enclosed. Terms of capitulation. 219

List of killed, wounded and prisoners. 222*a*.

y 5, Sheaffe to Prevost. Details of the capture of York on the 27th ulto. ultimo. 212

(In Prevost's No. 60 of 28th May.)

y 18, Prevost to Bathurst. (No. 60.) Transmitting copy of a despatch from Sheaffe containing the particulars of a successful attack made by the enemy on York, on the 27th ult. The small Regular force at his (Prevost's) disposal and the decided superiority gained by the Americans on Lake Ontario in the last six months will show the gallant efforts made by the handful of troops at that post. The enemy left York on the 8th inst., and proceeded to Niagara, where they landed on the American side for the purpose of strengthening their army on that line, and probably with a view to a further attack upon Fort Erie or Fort George. The flotilla afterwards returned to Sackett's Harbour. The force there con-

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sists of about 5,000 men; they are making preparations for another expedition, the object of which cannot be ascertained. Page 209

(Enclosures calendared at their respective dates.)

May 18, Kingston. Prevost to Bathurst. (No. 61.) Reporting the arrival at Quebec on the 5th inst., of Commodore Sir James Yeo with the officers and seamen under his command. The first and second divisions of officers and seamen have arrived at this post in bateaux from Montreal. List of the ships in which they will serve. In order that the instructions of His Majesty's government respecting the ascendency on Lake Ontario may be carried out, he has accompanied Sir James Yeo to this post so as to afford him every facility for the accomplishment of that object. 223

May 18, Kingston. Same to same. (No. 62.) Despatches 18 to 25, with enclosures, have been delivered to him by Major Coore. Is duly sensible of the efforts being made by His Majesty's Government to supply him with the troops so necessary for the successful resisting of the great efforts the enemy are making to conquer the provinces, particularly the Upper. The prospect of the speedy arrival of reinforcements from Spain and Ireland has induced him to send some troops from Lower to Upper Canada. The late systematic movement of the enemy on York, indicates a strong disposition to make a still more decisive attempt upon the province. Hopes to be able to successfully resist them with the help of the promised reinforcements and the seamen now on their way. 225

May 26, Kingston. Same to same. (No. 63.) Reporting the arrival at Quebec of troops, about 400 men of the 41st, and part of the 19th Dragoons, to be sent on at once to Upper Canada. The growing discontent of the mass of the people in this Province with the militia laws, and the considerable emigration to the United States have called for the best and reserved soldiers to support the positions on the Niagara and Detroit frontiers. Praises the bravery of Colonels Vincent and Procter. The enemy left Sackett's Harbour on the 20th inst., and have appeared off Fort George with sixteen vessels laden with troops which they disembarked the following day in rear of their Fort at Niagara. In case of immediate attack he has advised Sir James Yeo to sail with the vessels ready for service and reconnoitre the enemy's flotilla that he may form an opinion on the practicability of taking reinforcements to Fort George. Will accompany this reinforcement of 300 men and then return to Lower Canada, leaving the Civil and Military command of the Province to Major Generals de Rottenburg and Sheaffe. 227

May 27, Fort George. Return of killed, wounded and missing, in the action with the enemy. 260

(In Prevost's No. 65 of 3rd June.)

May 28, Forty Mile Creek. John Vincent, Brigadier General to Prevost. Details of the action at Fort George. 251

(In Prevost's No. 65 of 3rd June.)

May 29. Return of the killed, wounded and missing in the attack on Sackett's Harbour. 245

(In Prevost's No. 64 of 1st June.)

May 30, Kingston. Edward Baynes, Col. Glengarry Light Infantry, to Prevost. Account of the attack on Sackett's Harbour. 237

(In Prevost's No. 64 of 1st June.)

May 30. Return of the troops at the Forty Mile Creek. 268

(In Prevost's No. 66 of 6th June.)

May 31, Fort George. H. Dearborn, Major General commanding the U. S. forces on the Frontiers, to Prevost. Has been informed by R. G. Beasley, U. S. Commissary of Prisoners in London, that twenty-three soldiers of the 1st, 6th and 13th U. S. Regiments made prisoners and sent to England are held in close confinement as British subjects. Is instructed by his Government to put into close confinement a like number of British

soldiers as hostages. Notifies him that he now has put twenty-three soldiers into close confinement as ordered. Page 269

(In Prevost's No. 66 of 6th June.)

John Norton to same. Assuring him of his loyalty and regretting the late affair was not as successful as might have been wished; this does not destroy his confidence, however. Wishes to increase and reward his followers. 271

(In Prevost's No. 66 of 6th June.)

Prevost to Bathurst. (No. 64.) The despatch of 26th ult., was scarcely closed when news arrived of the enemy's flotilla being off Niagara with a second reinforcement of at least 8,000 Regulars, besides volunteers and militia. Colonel Vincent has only about 2,000 men to oppose this formidable force. When last accounts left Fort George it had sustained a cannonade of twenty-four hours duration which deprived our troops of every building near the work, except the powder magazine and the splinter proof barracks. The critical situation of Upper Canada decided him (Prevost) to embark the principal part of the garrison of this place for Sackett's Harbour, where they arrived under Col. Baynes on the 27th ult. Arrangements were being made for an attack at dawn the following morning, which, as will be seen by the report of Col. Baynes (enclosed), was not a complete success. The gallant conduct of the troops on the occasion. A short account of the engagement. Though the enemy is constantly receiving reinforcements, none have as yet arrived to protect Upper Canada, of which a part may be lost unless help speedily arrives. 232

(Enclosures calendared at their respective dates.)

Vincent to Prevost. Enclosing a letter from Major General Dearborn and stating that permission is granted to the wives and families of the officers left behind at Fort George to embark for Kingston or York. Has reported his arrival here to the Adjutant General and his intention to take up a position till either reinforcements or instructions arrive. The troops are in great spirits, waiting an order to return to Fort George. Finds that the enemy has followed him with the advanced guard to the Fifteen Mile Creek; he received this information from a deserter, who states that the fleet sailed for Sackett's Harbour and that 2,000 men embarked on board in a great hurry. Is afraid Procter will be in pressing need of provisions. Is sending some cattle under charge of a detachment of Militia. As bills would not answer for this service, Col. Clerk of the Militia has sent him 500 guineas. He has already mentioned his wants to Col. Baynes. 265

(In Prevost's No. 66 of 6th June.)

Prevost to Bathurst. (No 65.) On the 27th ult., the enemy effected a landing about two miles from Fort George. Their superior force, notwithstanding spirited resistance, obliged Col. Vincent to retire to the head of Lake Ontario with his whole force. Encloses Col. Vincent's report. The British loss small. Considering that the appearance of the fleet might give additional courage to troops under him he has despatched Sir James Yeo with his ships. The enemy's fleet were reported yesterday to be returning to Sackett's Harbour. Learns that all their fleet is now in that port and that the whole of the naval stores there were burnt on the day of the attack. Regrets that he cannot report the arrival of any of the troops on their way from Cadiz, Malta and the West Indies. 248

(Enclosures calendared at their respective dates.)

George Taylor, Major 100th Regiment, to Major General Stovin, commanding at Chambly. Particulars of the taking of the "Eagle" and "Growler." 281

(In Prevost's No. 68 of 12th June.)

1813.
June 6, Kingston. Prevost to Bathurst. (No. 66.) Since last writing has received the enclosed intelligence from Col. Vincent relating to the British subjects taken in arms at Queenston in October last and sent to England. Has taken measures to reinforce the army at the head of the lake, with part of the 104th and Glengarry regiments, which is all that can be done at present. The Americans are pressing forward in very superior numbers for the conquest of Upper Canada. He is afraid his promised reinforcements will not afford the means for making one grand effort. Encloses letter from the Indian Chief Norton, addressed to him (Prevost) after the late unequal contest at Niagara, that the importance of his friendship may be seen. The British flotilla is on Lake Ontario with stores and reinforcements for Col. Vincent. Cannot learn that the American fleet has ventured out to contend for the ascendency on the lake. Specie urgently needed as paper money cannot now command the hidden resources of the country. Page 262

(Enclosures calendared at their respective dates.)

June 7, Kingston. Same to same. (No. 67.) Reporting an action with the enemy near Isle aux Noix which terminated in the capture of the "Eagle" and "Growler" from the enemy. The capture was made under the direction of Major Taylor. Captain Gordon, R.A., Lieut. Williams, Ensigns Dawson, Gibbon and Humphries, of the 100th, and Lt. Lowe, of the Marine, particularly distinguished themselves. In the contest, which lasted three hours, and a half, we had three men wounded and the enemy had eight wounded and one killed. 278

June 12, Kingston. Same to same. (No. 68.) Enclosing particulars of the affair at Isle aux Noix, mentioned in his despatch No. 67, as detailed in Major Taylor's letter to Major General Stovin. 280

(Enclosures calendared at their respective dates.)

August 12, Downing St. Draft of a letter to Prevost. Despatch No. 66, enclosing a letter from Dearborn stating that twenty-three British prisoners have been put in close confinement as hostages for those confined by Britain, received. States that these latter were British born subjects taken while serving in the American Army, and that they now await a legal trial. He (Prevost) is to inform Dearborn that he has transmitted home a copy of his letter and in answer thereto has been commanded to put into close confinement forty-six officers and non-commissioned officers as hostages for the twenty-three British subjects imprisoned in the United States. Also that if on trial any of the soldiers be found guilty and sentenced to death and any of the hostages held by the United States be executed in consequence, double the number of the officers and non-commissioned officers confined here shall immediately be put to death. The war will be carried on with unmitigated severity, if after this notification the American Government should unhappily put to death any British soldiers who are now or may hereafter be kept as hostages for the purposes stated. 274

No date. Return of ordnance, ammunition and stores taken on board the United States armed vessels "Eagle" and "Growler" on the morning of the 3rd June, 1813. 285

(In Prevost's No. 68 of 12th June.)

GOVERNOR SIR G. PREVOST, 1813.

Q. 122.

Am- Embarkation return of the Western Army commanded by Brigadier
h. General Procter on an expedition to the Miamis. Page 18
(In Prevost's No. 69 of 14th June.)
Return of officers, non-commissioned officers and privates taken prisoners from the enemy at the battle fought at the Miamis. 15
(In Prevost's No. 69 of 14th June.)
Return of killed, wounded, missing and prisoners from the army under Brigadier General Procter, at the battle fought at the Miamis. 19
(In Prevost's No. 69 of 14th June.)
Officers of the Kent Militia to Lt.-Col. Waberton, Inspecting Field
mis. Officer of Militia. Stating that it is necessary, to prevent famine, that the militia be allowed to go home to attend to their crops. 20
(In Prevosts No. 69 of 14th June.)
Agreement for the exchange of prisoners made between Brigadier
mis. General Procter and Major General Harrison. 13
(In Provost's No. 69 of 14th June.)
Procter to Harrison. Offering to exchange Indian prisoners for an equal number of Kentucky militia. 16
(In Prevost's No. 69 of 14th June.)
Harrison to Procter. Will refer his (Procter's) proposal for an exchange of Indians to his Government. 17
(In Prevost's No. 69 of 14th June.)
Report of Col. Henry Procter of the operations in and present state of
. his district. 4
(In Prevost's No. 69 of 14th June.)
Bur- John Vincent, Brigadier General, to Prevost. Particulars of the engagement at Stoney Creek. 25
(In Prevost's of 14th June.)
Return of killed, wounded and missing in the action. 32
(In Prevosts No. 70 of 14th June.)
Return of ordnance, &c., &c., captured from the Americans at the head of Lake Ontario. 34
(In Prevost's No. 70 of 14th June.)
Bur- Return of the prisoners of war taken from the enemy near Stoney Creek. 33
(In Prevost's No. 70 of 14th June.)
Prevost to Bathurst. (No. 69.) Enclosing report from Colonel Procter.
. Congratulations upon the discipline and valour of the troops on the Detroit frontier. By last accounts Procter is still at Sandwich awaiting reinforcements, which he (Prevost) believes are now on their way; when they arrive Procter will be able to march against Major General Harrison at Fort Meigs. 2
(Enclosures calendared at their respective dates.)
Same to same. (No. 70.) Transmitting particulars of the battle
. of Stoney Creek. Great praise due to Lt.-Col. Harvey. The Commodore has taken several American vessels. Commodore Chauncey has not again ventured out. Captain McDonall will deliver this despatch. He is an officer of great merit. He will also deliver the colours taken at Ogdensburgh to be laid at the feet of the Prince Regent. 22
(Enclosures calendared at their respective dates.)
Same to Dearborn. Advising the American Government to withdraw
. the officers serving in their army in direct violation of the parole entered into by these officers. 39
(In Prevost's No. 71 of 24th July.)

1813. June 24, Kingston. Prevost to Bathurst. (No. 71.) Enclosing copy of a letter wh deemed it his duty to write to Major General Dearborn in consc of the information received that certain officers taken prisoners British, and allowed to proceed to the United States on parol serving in the army now invading this province. The America ernment had declared General Hull and other officers exchang free to serve again before the agreement was ratified. Encloses g orders which he had published by way of protest. Particulars affair.

(The general orders are to be found in Q. 121, dated Queb February, 1813; the other enclosure is calendared at its proper d

June 24, Kingston. Same to same. (No. 72.) Transmitting copy of a public decl given out by the American commandant of Fort Erie, after the had taken possession of that post, and a proclamation which he (P had issued in consequence. Finding that Major General Sheaf quite lost the confidence of the Province, he has removed that of Montreal, and substituted Major General de Rottenburg.

Enclosed. The declaration signed by James P. Preston, offeri tection to life and property to those Canadians who come forwa enroll their names with him and threatening those who hold out.

Answer to the above.

June 24, Beaver Dam. Cecil Bisshopp to Vincent. Has the satisfaction to report the prisoners a detachment of the United State Army under Lieu Boerstler. The Indians under Capt. Kerr were the only force en The surrender may be attributed to the address of Lieut. FitzG Major DeHaren also deserving of praise. Encloses capitulation e into between Col. Boerstler and himself, with a return of prisoners Lieut. Barnard who carries this intelligence is a promising officer.

(In Prevost's No. 73 of 3rd July.)

June 24, Township of Louth. J. FitzGibbon, Lt. 49th, to Major DeHaren. Report of the aff this day.

(In Prevost's No. 73 of 3rd July.)

June 24. Particulars of the capitulation of a detachment of the United Army under Lt.-Col. Boertsler.

(In Prevost's No. 73 of 3rd July.)

June 24. Return of the American prisoners taken.

(In Prevost's No. 73 of 3rd July.)

June 25, 40 Mile Creek. Vincent to Prevost. Enclosing report from Col. Bisshopp giv account of the engagement with the enemy on the 24th inst. FitzGibbon, 49th, is deserving of great praise.

(In Prevost's No. 73 of 3rd July.)

July 3, Kingston. Prevost to Bathurst. (No. 73.) Enclosing letters and paper taining the gratifying intelligence of the capture of a body of the e troops on the 24th ult. Remarks upon the affair.

(Enclosures calendared at their respective dates.)

July 4, Kingston. Same to same. (No. 74.) Asking permission to take in service the two vessels captured from the enemy in the River Ri as reported in despatch No. 68, and a small vessel lately capture for paying their captors their appraised value. In the absence of i tions to guide him he had appointed a board of officers to give an o on the measures to be adopted on such occasions.

Enclosed. Extract from the proceedings of the Board.

July 6, Kingston. Same to same. (No. 75.) Transmitting a paper from the Justice and judges of the Court of King's Bench for the Dist Montreal.

Enclosed. The paper dated 1st June, 1813.

Extracts from an Act referred to in the foregoing.

1813.
11. Return of stores, &c., captured at and brought from Black Rock. Page 108
12. Thomas Clark, Lt.-Col. 2nd Lincoln Militia, to Lt.-Col. Harvey. Account of the action at Black Rock. 101
12. Return of ordnance destroyed and captured from the enemy at Black Rock. 107
13, ton. Return of killed, wounded and missing at Black Rock. 106
15, ton. Additional General Order after the engagement at Black Rock. 104
18, ton. Prevost to Bathurst. (No. 76.) Since last writing the enemy has withdrawn into Fort George and its immediate vicinity where he is hemmed in by the Indian warriors. Does not consider an attack on the posts or the Niagara Frontier advisable while the enemy has the largest naval force. The naval ascendency is the first point to be gained. The enemy seem ready for action. Last reports from Col. Procter are dated Sandwich. Reinforcements have been sent him, he hopes to be able to advance nearer the enemy's position at Fort Meigs. Reports of General Harrison's movements. Has entrusted Lt. Pring, R. N., with the command of the force on the Richelieu River. The good conduct of the troops. 79
18, ton. Same to same. (No. 77.) Enclosing copy of a mandement issued by Bishop Plessis, of Quebec, on the subject of the prayer directed to be used for the Prince Regent. Thinks it will be gratifying as an additional proof of the zeal and loyalty of that bishop. 85
Enclosed. The mandement (in French). 86
20, ton. Same to same. (No. 78.) Enclosing extract of a letter from Captain Barclay, senior naval officer on Lake Erie, with a statement accompanying it. What he requires to enable him to man and equip his squadron. Remarks on the naval requirements. Thinks the report Capt. Barclay has received of the American force is an exaggerated one. 92
Enclosed. The extract. 95
Statement of the American naval force as last reconnoitred. 97
Statement of His Majesty's squadron on Lake Erie. 98
20, ton. Prevost to Bathurst. (No. 79.) Enclosing report from Lt.-Col. Clark, of the Militia forces, of the result of the attack on Black Rock by a detachment under Lt.-Col. Bisshopp. At the moment when the British force had accomplished its object a hidden enemy threw upon them a very destructive fire. Col. Bisshopp severely wounded and several valuable men killed. 99
(Enclosure calendared at its proper date.)
23, ton. Same to same. (No. 80.) Enclosing copy of a general order respecting the placing of the naval yard at this place on a better footing. 109
Enclosed. General order. 111
1 1, ton. Same to same. (No. 81.) The enemy continues to occupy Fort George and its vicinity. Major General de Rottenburg is at St. David's, about seven miles distant. The enemy's fleet left Sackett's Harbour on the 23rd ult. The British squadron has left Kingston Harbour in search of it. Remarks on the naval matters. The arrival of Mr. Dickson with 2,000 Indian warriors will enable General Procter to carry on offensive measures. Difficulty of supplying Amherstburgh and Michillimackinac. In spite of Mr. Madison's boast, H. M.'s flag still waves on Lakes Erie and Ontario and Champlain. 116
Enclosed. Statement of the force of H. M.'s squadron and that of the enemy employed on Lake Erie, dated 24th July. 122
Comparative ditto of same date. 123
Ditto in the Richelieu and Lake Champlain. 124

1813.
August 1, Kingston. Prevost to Bathurst. (No. 82.) The large number of prisoners of w made it expedient to send a proportion of them to Nova Scotia. thirty officers and five hundred men are to be embarked. Any I subjects found among them are to be sent to England to await the pl of His Majesty's Government. A ship is to be detained at Que transport the remainder of the prisoners to England, if it is th advisable. Encloses copy of a letter addressed to M. General Dea apprising him of his intention respecting the prisoners and the w attention to his (Prevost's) former communications. Pa

Enclosed. Letter to Dearborn, of same date.

August 3, Isle aux Noix. J. Murray, Lt.-Col., to Sheaffe. The land forces sent on an expe to Lake Champlain have returned after executing every order. plublic buildings at Plattsburg and the barracks at Saranac have be troyed, public stores brought off, the barracks and several bu at Swanton burned and a detachment sent to destroy those at Cha town. Every assistance was given by Captains Everard and Pri N. Lt.-Col. Williams, 13th, was also of great assistance. The h praise is due to all the troops. General Hampton has concentrat force, about 4,500 regulars, and a large body of militia, at Burli The militia force at Plattsburg disbanded on the appearance armament. Capt. Loring, the bearer, can give any further infor wanted.

August 3, H. M.S. "Burke", Lake Champlain. Thomas Everard, Commander of H. M. S. "Wasp," to Prevost. object of Col. Murray's expedition having been fully accomplishe there being no public buildings on the West side of the lake b Plattsburg, he stood over to Burlington with the "Shannon" a gunboat to allow the enemy an opportunity of deciding the supe on the Lake. Finding it impossible to induce him to quit his p where it was difficult to attack him, he (Everard) captured and des four vessels and is now returning.

August 4, Isle aux Noix. J. Murray, Lt.-Col., to Sheaffe. Enclosing report from Capt. D. A. Quarter master General, stating that he has completed the he was detached upon.

(Enclosure calendared at its its proper date.

August 4, Isle aux Noix. G. A. Eliot, D. A. Quartermaster General, to Lt.-Col. Murray. proceeded according to orders to Champlain town and burnt the house and destroyed the Commissary's store. This service was per without opposition.

(In Murray's of same date.)

August 5, Montreal. Sheaffe to Prevost. Transmitting reports of the Naval and M commanders employed on Lake Champlain. The object has been e in a most satisfactory manner.

August 8, Kingston. Prevost to Bathurst. (No. 83.) The enemy took possession o on the 31st ult., liberated the prisoners confined in the jail, sei the property and stores they could carry off and set fire to bu on Gibraltar Point. The loss to the government is small as the stores had been removed. The invading troops consisted of abo men under Commodore Chauncey and Lt.-Col. Scott, an exchang soner of war. The town was in an almost defenceless state wh enemy landed. About 500 men had previously been disembarke Brant's house with the intention of storming Burlington Heigh finding Major Maule prepared for them had re-embarked. Last from de Rottenburg are up to the 3rd inst., when the enemy's fl anchored off Niagara. Has received no tidings of the British sq since the 31st., when they sailed from this place.

August 8, Kingston. Same to same. (No. 84.) Transmitting copy of letter from with the official report of Lt.-Col. Murray detailing the operat the 29th July, also report from Capt. Everard, R. N. The object

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service to draw the enemy's attention to their own settlements on Lake Champlain, has been accomplished by the total destruction of all their arsenals, block houses, &c., at Plattsburg, Swanton, and Champlain town with the extensive barracks at Saranac. Page 135

(Enclosures calendared at their respective dates.)

st 8, ston. Prevost to Bathurst. (No. 85.) The Legislative Council of Lower Canada being deficient in effective members, recommends Pierre De Boucherville, as a fit person to be created a Councillor. Remarks. 144

st 10, ing St. Draft of a letter to Prevost. (No. 38.) Despatches have been received and laid before the Prince Regent. His (Prevost's) conduct has met with entire approbation. Major General Procter and Brigadier General Vincent are to be informed of the Prince Regent's approval of their conduct. The officers and troops engaged in the attack at Sackett's Harbour are also to be complimented. 48

st 11, ing St. Same. (No. 39.) Despatch No. 73, enclosing declaration given out by the American commandant at Fort Erie, received. Hopes none of His Majesty's subjects in Upper Canada have accepted the terms offered. A law should be passed in Upper Canada banishing such subjects and confiscating their lands and property, to be applied to the indemnification of those who have lost by the war. 50

st 12, ston. Prevost to Bathurst. (No. 86.) Reports the capture of the May and June packets from Falmouth, which were sunk. Some remarks on the subject of the mails. 145

st 12, ston. Same to same. (No. 87.) Respecting his share in the prizes taken. 149

st 13, ing St. Draft of a letter to Prevost. (No. 41.) Troops are to be sent out. 152

st 14, ing St. Draft of a letter to Prevost. (No. 42 Secret.) The seamen under Commodore Yeo are to be reinforced. Respecting the naval arrangements. 155

st 14, ing St. Draft of a letter to Prevost. (No. 43.) Despatch No. 40 will give instructions as to the conduct to be pursued and the communications to be made to Dearborn. Sir J. B. Warren is to be notified of the further proceedings with regard to this important subject. 157

ust 25, David's, ara tier. Prevost to Bathurst. (No. 88.) The danger to which the Detroit frontier was exposed in consequence of the enemy's superiority on Lake Erie decided him to move forward to the centre division under de Rottenburg, to be able to second Procter's movements which he undertakes under such great difficulties. Some account of matters on the Niagara frontier. Yeo is making every effort to bring the enemy's squadron to a decisive action but in vain. He, however, was fortunate enough to capture two of their schooners on the 10th inst. On the preceding night two others overset and sunk in carrying sail to escape the British. About 100 persons perished. Yeo has gone into Kingston, to refit and has seen nothing further of the enemy's fleet. He understands they are in Sackett's Harbour. The Americans seem determined to put off the decision of the Naval superiority. The safe arrival of Indian presents. The concentration of a large part of the enemy's force at Sackett's Harbour renders it necessary that he (Prevost) should immediately proceed to Kingston. 158

ember 5, herst- h. Robert Gilmor, D.A.C.G., to Edward Couche, D.C.G. The alarming situation of this post for want of provisions. Capt. Chambers, who carries this, will be able to give fuller information. 175

(In Prevost's No. 89 of 15th September.)

ember 5, wich. Procter to Prevost. Announcing and giving particulars of the loss of the fleet on Lake Erie. 183

(In Prevost's No. 90 of 22nd September.)

mber 14, ston. Prevost to Yeo. Reports from the centre and right divisions in Upper Canada confirm his apprehensions of the critical situation of

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both commands from the temporary naval ascendency of the enemy on Lakes Erie and Ontario. The enemy's policy is evidently to prevent supplies, &c., being forwarded. Encloses extract of a letter from Amherstburg, showing the distress existing there. As the evacuation of that post would inevitably lead to the loss of the fleet on Lake Erie, he desires some bold attempt may be made by Capt. Barclay for the supremacy on that Lake to make an outlet for the supplies at Long Point. A large proportion of the officers and seamen of the "Dover" to be sent to his assistance. He (Yeo) is the best judge as to where Capt. Drury's services will be most useful. Page 173

(In Prevost's No. 8 of 15th September.)

September 15, Kingston. Prevost to Bathurst. (No. 89.) Since the commencement of the second campaign he has faithfully reported all occurrences, not hiding the difficulties under which he labours. The time is fast approaching when a suspension of hostilities must take place. He (Prevost) has received no instructions since the commencement of the campaign as to how it was to be conducted. Encloses letter to Yeo, which clearly shows his (Prevost's) embarrassments. Has impressed on Yeo the necessity of deciding the supremacy on the Lakes as soon as possible. The captain and crew of the "Dover" serve on Lake Erie. Has collected £5,000 in specie for the centre and right divisions of the army. The movements of the enemy's squadron. Regrets there has been no decisive action as yet. 168

(Enclosures calendared at their respective dates.)

September 16, Kingston. Edward Baynes, Adjutant General, to de Rottenburg. Instruction for the guidance of his conduct. 188

(In Prevost's No. 90 of 22nd September.)

September 21, Sandwich. Procter to Prevost. The enemy have been reconnoitred by an officer of the Indian Department. We must expect an attack soon. The sick, women, children and stores are on the Thames, the ordnance, except that for use on the field have been sent off. The enemy having command of the waters, he has decided to fall back on the Thames. Expects great help from the Indians; goods required for them. The enemy is advancing. Provisions urgently needed. Encloses extract of a letter from Lt.-Col. Murray making him (Procter) responsible for the loss of the fleet on Lake Erie. Proposes to pay as militia those accompanying the army as was done during the American rebellion. Hopes the measures will be approved. 265

(In Prevost's No. 100 of 30th October.)

September 22, Kingston. Prevost to Bathurst. (No. 90.) States again as in despatch of 15th inst., the embarrassment caused by the supremacy of the enemy on Lake Erie, and his disappointment that the British squadron has returned with nothing decided on this lake (Ontario). Transmits with deep regret a letter from a letter from M. General Procter announcing our loss under Captain Barclay. Some particulars not given in that letter. How affairs stand in Upper Canada. Enclosing copy of letter sent to M. General de Rottenburg by the Adjutant General previous to the arrival of this disastrous intelligence. 177

(Enclosures calendared at their respective dates.)

October 8, Montreal. Same to same. (No. 91.) The reports that the enemy were assembling on the Montreal frontier induced him to repair to this place, where he learned that Major General Hampton with about 5,000 regulars, after overpowering one of our small piquets near Odel Town, had moved to the Westward and was encamped near the Chateauguay River. Sheaffe has taken precautions to resist the enemy's advance. Remarks on the Militia. The force assembled for the purpose of invading the province is greater than at any other period. Their numbers and disposition. The reinforcements in British seamen for Lakes Ontario and Champlain

have arrived. Had they been available a few weeks earlier the Lake Erie disaster might have been avoided. Transmits Commodore Perry's official account of the loss of the squadron. Has required of Procter his reasons for allowing Captain Barclay to attempt such an action without waiting for the seamen on their way to assist him. It is a satisfaction to find that victory was at one time on our side before the loss of the services of Captain Barclay and other officers. By last accounts from Procter, he is still at Sandwich. Yeo sailed with his squadron from Kingston on the 19th ultimo, taking stores, provisions, &c., to the centre division of the army. He attempted an action with Chauncey but was obliged to make for an anchorage off Burlington Heights where the enemy did not follow them. Our fleet has refitted and gone in search of the Americans. Hopes by this time some decisive action has taken place. Has ordered a ship of 28 guns and a brig of 20 to be built at Kingston. Page 199

Prevost to Bathurst. (No. 92.) Remarks on the present system of public accounts. 209

Same to same. (No. 93.) Encloses prices current and rates of exchange at Quebec from April to September last inclusive. 214

Enclosed.

Quebec prices current for April. 215

Ditto for May. 218

Ditto for June. 221

Ditto for July. 224

Ditto for August. 227

Ditto for September. 230

Prevost to Bathurst. (No. 94.) Transmitting copies of the proceedings of the Executive Council on matters of State between 26th January and 24th April, 1813. 233

Same to same. (No. 96.) Enclosing requisition for stationery for the Civil Department of Lower Canada for 1814. 234

Enclosed. The requisition. 235

Same to same. (No. 97.) Enclosing statement of the exports and imports for the year 1812. 237

Enclosed. The statement. 238

Same to Thomas Barclay, British agent for prisoners of war, stating that he has placed forty six American officers and non-commissioned officers in close confinement. Encloses copy of despatch from Bathurst with the instructions for doing so; also a list of the prisoners still remaining at Quebec. Apprises him of this that he may be prepared for the negotiations sure to take place. Colonel Gardner has been received as American agent of prisoners. The complaints of Dr. McKeehan, Mr. Dickson and other unoffending inhabitants of Niagara, taken prisoners, shall be attended to. Had hoped some arrangement for a general exchange would have been made before now. Respecting the exchange of Hull and the other officers. 271

(In Prevost's No. 101 of 30th October.)

General orders respecting the prisoners put into close confinement. English. 280

French. 285

(In Prevost's No. 101 of 30th October.)

Prevost to Bathurst. (No. 98.) Mr. Bowen has declined accepting the appointment of Attorney General of Upper Canada for reasons stated in his letter to Mr. Brenton, an extract of which is enclosed. Bowen is continued in his situation on the Bench in Lower Canada. Asks for some further explanations respecting the pensions proposed to be granted to Messrs. Williams and De Bonne upon their retirement from the Bench. The deficiency of the provincial revenue has been caused

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by the war; and after that is over the pensions of these gentlemen will be paid by the Province, as are those of about twenty other persons. Enclosing copy of letter from Major General de Rottenburg, with copies of two letters therein referred to on the subject of the appointment of an Attorney General in that province. From his (Prevost's) knowledge of Mr. Robinson, he strongly seconds the Major General's recommendation, in his favour. Page 243

Enclosed. Extract referred to. 249

Letter from de Rottenburg, dated 27th September, 1813, enclosing letters from Chief Justice Scott and Justice Powell, recommending Mr. Robinson to be Attorney General of Upper Canada. 251

Chief Justice Scott to de Rottenburg. 253

Justice Powell to the same. 254

October 30, Montreal. Prevost to Bathurst. (No. 99.) Major General Hampton with his forces on the 21st instant, crossed the line, surprised a small number of Indian warriors, drove in some sedentary militia posted at the junction of the Outward and Chateauguay Rivers, encamped there, and is bringing forward artillery. On the 25th he commenced operations against the British advanced posts. An account of the action. The wise measures taken by de Watteville, the bravery of Lt.-Col. de Salaberry and the officers and men engaged. Reports say the American force was about seven thousand, while the British was only about three hundred. Enclosing a list of killed and wounded. Asking for five pairs of colours for the 1st, 2nd, 3rd, 4th, and 5th Battalions Canadian Militia. 255

Enclosed. Return of the killed, wounded and missing. 261

October 30, Montreal. Same to same. (No. 100.) Encloses the only despatch received from Procter since the 22nd ult. Has been informed that he commenced his retreat from Sandwich on the 24th of September, after dismantling the posts of Amherstburg and Detroit and destroying all public stores, &c. About five miles from the Moravian village he was attacked by an overwhelming force under General Harrison. He (Procter) was obliged to retreat with the remnant of his army and reached Burlington Heights, the Headquarters of General Vincent. Tecumseh and the Prophet with their bands of warriors were of great service. He is as yet ignorant of the British loss. Procter has sent a flag of truce to learn the fate of the missing officers and men. Hears that the enemy instead of following up their advantage have retreated to Sandwich, followed by Tecumseh and his warriors. Five or six hundred Indians from the Right Division are reported to have joined the Centre. Regets to say he is still without an official report of Capt. Barclay's action on Lake Erie, which has been the cause of our relinquishing the Michigan territory and abandoning the posts in Upper Canada beyond the Grand River. Fears Capt. Barclay has died of his wounds. 262

(Enclosure calendared at its proper date.)

October 30, Montreal. Same to same. (No. 101.) Has lost no time in carrying out the commands conveyed in despatch No. 40, namely, the puttinginto close confinement of forty-six American officers and non-commissioned officers to be held as hostages for the twenty-three men held by the Americans and informing Major General Wilkinson of the same. Encloses letters on the subject. He will do all in his power to obtain the evidence necessary for the conviction of the British subjects taken in arms and now in confinement in England. In compliance with the instructions in No. 43, he has communicated these proceedings to Sir J. B. Warren. 268

(Enclosures calendared at their respective dates.)

October 30, Montreal. Same to same. (No. 102.) Despatches Nos. 25 to 46 inclusive, received. 290

October 30, Montreal. Same to same. (No. 103.) The disposition of the forces in Canada. 291

Prevost to Bathurst. (No. 104.) In consequence of his (Prevost's) representation to Sir J. B. Warren of the danger to which the Right Division of the army in Upper Canada was exposed through the loss of the fleet on Lake Erie, he (Warren) has sent ships and marines. By last accounts from de Rottenburg, dated Kingston, 28th instant, the enemy, though still threatening that post, have made no attacks as yet. The American fleet were within eighteen miles of that place. The state of the weather prevented Major General Hampton's attack on Lower Canada and Major General Wilkinson's on Kingston being simultaneous as was intended. Hopes the attack there will end as did that on Lower Canada. Page 293

List of American officers and non-commissioned officers in close confinement at Quebec, also the officers on parole. 277

(In Prevost's No. 101 of 30th October.)

Governor Sir G. Prevost, and Miscellaneous, 1813.

Q. 123.

George Inglis to Barclay. An account of the termination of the action on Lake Erie. 63

(In Prevost's No. 111 of 25th Nov.)

List of killed and wounded in the action on Lake Erie. 66

(In Prevost's No. 111 of 25th Nov.)

Capt. Barclay to Yeo. Detailed account of the disastrous action on Lake Erie. 55

(In Prevost's No. 111 of 25th Nov.)

Same to Prevost. Has this day concluded an agreement for the exchange of prisoners of war. Conditions of the exchange. 34

Procter to de Rottenburg. Statement of his movements. 80

(In Prevost's No. 113 of 30th Nov.)

Prevost to Bathurst. (No. 105.) Enclosing a memorial from Major General Sheaffe, asking for compensation for the loss of his baggage which fell into the enemy's hands at York. Recommends the memorial to consideration. 2

Enclosed. The memorial. 3

Same to same. (No. 106.) His representation to Sir J. B. Warren, at Halifax, of the state of the provinces, has brought him reinforcements. The disposition he intends to make of them. The movements of the enemy's fleet. General Hampton's army has quitted the Province and is returning to its original encampment at the Four Corners. He (Prevost) intends to concentrate the remains of the Right Division with the Centre, and place the whole under Major General Riall. The sickness amongst the troops is diminishing. The Newfoundland Regiment being so much weakened, he proposes that the remainder be sent to Newfoundland in the spring, to recruit there. Has just received Procter's official report of his retreat from Sandwich on the 26th September, and the disastrous affair of the 5th October. The account is so confused that he has asked de Rottenburg to call upon him for a clearer and more detailed statement, that it may be brought before His Majesty's Government, for their decision upon Procter's conduct. 5

Charles McGregor, Major 70th Regt., to Prevost. Respecting his regiment. 25

(In Prevost's No. 107 of 15th Nov.)

Agreement to deliver property and stores. 23

(In Prevost's No. 107 of 15th Nov.)

1813.
November 11, Williamsburg. J. W. Morrison, Lt.-Col. 89th, to de Rottenburg. Enclosing co an agreement with two of the principal inhabitants of Hamilton, of New York, for the delivery of public property and stores; also of General Wilkinson's proclamation. P
(In Prevost's No. 107 of 15th Nov.)

November 12, Chrysler's, Williamsburg. Same to same. Reporting the victory at Chrysler's Farm.
(In Prevost's No. 107 of 15th Nov.)

November 13, Montreal. Prevost to Barclay. Acknowledges letters. Encloses letter to Melville or the officer commanding at Burlington, by which it w seen that the American prisoners at Quebec had sailed for Halifax days previous to the receipt of the agreement. Even had th sailed he does not think he would have been justified in giving up prisoners, while the retaliating system is being carried on. In ca agreement be carried out, hopes assurances will be given by the A can Government that those taken on Lake Erie and under P should not be subjected to any retaliation whatever, but be retur the spring. Has allowed Lt.-Col. Boerstler and Lt. Deacon, to p on parole to the United States in return for the indulgence sho Lt.-Col. Myers and Capt. Gordon. It would be advisable to ma exchange of these officers. The removal of the prisoners to Ha was a matter of necessity. He has just learned that instead of proc to Halifax, they have, against his orders, been sent with the con England. This must have happened through a misunderstan Hopes the American Government will be convinced of this. Drs. and Scott will be permitted to return to the United States as s Mr. Dickson and other peaceful citizens made prisoners of wa allowed to return to Canada.
Enclosed. Letter to Melville.

November 15, Lachine. Same to Bathurst. (No. 107.) The enemy's attempts to reach real ended in an action at Chrysler's Farm. Encloses Lt.-Col. son's account of that signal victory. The enemy's movements. En copy of another letter and enclosures from Col. Morrison. Th which all classes have shown in their endeavours to oppose the t ened invasion. Encloses also report of the 70th Regiment. Stat the information of His Majesty's Government that "the very gr ertions made for the preservation of the Canadas by its popula conjunction with the small force under my command, may even degenerate into indifference for the result of the present contest, the support from the Mother Country is equal to the magnitude stake."
(Enclosures calendared at their respective dates.)

November 15, Lachine. Same to Bathurst. (No. 108.) Asking for authority to ma allotment of land promised to those enlisting in the Glengarry ment (100 acres) and to the Voltigeurs (50 acres) in the Town Sherrington, as he thinks that would prove an inducement.

November 15, H.M.S., "Wolfe," Kingston. Yeo to Prevost. Encloses Capt. Barclay's account of the ac Lake Erie. The British squadron was deficient both in seamen an but the greatest misfortune was the loss of every officer, parti Capt. Finnis, who, if spared, would probably have saved the sq

(In Prevost's No. 111 of 25th June.)

November 20, Quebec. Major General Glasgow to Noah Freer. Explaining how the pr intended to be kept at Halifax were sent on to England.

November 24, Montreal. Prevost to Bathurst. (No. 109.) Enclosing memorial of the ag the North-west Company, and recommending it to favourable co tion.
Enclosed. The memorial.

r 24. General order, issued in consequence of the state of affairs in this district and the defeat on Lake Erie. Page 67
Enclosed. Return of the Right Division of the army in Upper Canada. 75
(In Prevost's No. 111 of 25th November.)
r 25. Prevost to Bathurst. (No. 110). Transmitting copies of three letters respecting the exchange of prisoners, also one from M. Genl. Glasgow, in explanation of the sending on to England the American prisoners whom he (Prevost) intended to remain at Halifax. Asks that they may be returned at once by cartel to the United States in order to remove all grounds of complaint. 32
r 25. Same to same. (No. 111.) Enclosing letter from Yeo, Capt. Barclay's official account of the action on Lake Erie, and general order issued in consequence of recent events in this command. Capt. Barclay is recovering. 53
(Enclosures calendared at their respective dates.)
r 29. Same to same. (No. 112.) As no answer has been received to the memorial of Isaac Winslow Clarke, transmitted in his (Prevost's) despatch of 11th November, 1811, he encloses a duplicate and recommends it to consideration. 76
Enclosed. The memorial. 77
r 30. Same to same. (No. 113.) By despatch No. 106 it will be seen that Procter's account of his retreat was not satisfactory enough. He had been called on for a more comprehensive statement; as that has not been received, he transmits his first account. 79
(The enclosure dated Ancaster, 23rd October, calendared at its proper date.)
r 11. Same to same. (No. 114.) Enclosing copy of a letter from Major General Wilkinson, on the subject of the prisoners held as hostages, with his (Prevost's) reply to it. Has also transmitted copies to Sir John Warren, at Halifax, asking him as there are only fifteen officers prisoners at Quebec, to put into close confinement thirty-one officers prisoners at that place. Is afraid proof to convict the twenty-three prisoners in England will be difficult to get. Suggests they be brought to trial immediately, and if acquitted, they might be restored to the condition of ordinary prisoners of war, in this way the difficulty might be settled. 88
Enclosed. The letter to Wilkinson, dated Malone, 3rd December. 91
The answer to the above. 95
r 12. Same to same. (No. 115.) The signal defeat of the Americans at the Chateauguay River and Chrysler's Farm has relieved both Provinces of the invading forces under Generals Hampton and Wilkinson; the latter has given up his avowed project of passing the winter at Montreal. A detachment of troops on board some gunboats which he (Prevost) had ordered to Lake Champlain, burned a large building at Plattsburg and brought away some bateaux and stores. The severity of the weather compelled them to return. The lateness of the season has frustrated an attack on Burlington. Is assured that the two boats building at Kingston will be ready by the opening of navigation. 100
r 12, rge. Col. J. Murray to Vincent. Hearing that the enemy were carrying off the loyal inhabitants and were bent on gaining possession of the country between Fort George and the advance, he had marched forward, notwithstanding the inclemency of the weather, frustrated their designs and compelled the enemy to evacuate this post; on hearing of our approach they laid the town of Newark in ashes and sent the stores, &c., across the river. Hopes this movement will save the district from a merciless enemy. 107
(In Prevost's No. 116 of 22nd December.)

1813.
December 22, Quebec. Prevost to Bathurst. Enclosing report to Vincent from Col. Murray of his having taken possession of Fort George, at Niagara, on the 12th instant without opposition. This expedition has sent the enemy back to his own side of the river. The wanton burning of the town of Newark has stained the character of the American nation. Praise due to Col. Murray for the manner in which he rescued the Niagara district from further plunder, &c. Page 105

(Enclosure calendared at its proper date.)

December 22, Quebec. Glasgow to Prevost. The great need of artillery men and drivers. The necessity for a civil establishment of the Ordnance Department being formed at Kingston and an armourers' establishment at that place and also at Montreal. 110

(In Prevost's No. 117 of 24th December.)

December 24, Quebec. Prevost to Bathurst. (No. 117.) Enclosing and recommending to favourable consideration a letter from Major General Glasgow, asking for gunners, ordnance and arms. 109

(Enclosure calendared at its proper date).

December 27, Quebec. Same to same. (No. 118.) Correcting the statement in despatch No. 116, that the enemy had passed all his stores and cannon over the river, as several guns and some ammunition have been found in a ditch, and camp equipage for fifteen hundred men has fallen into our hands. The new barracks at Fort George and Chippawa, owing to the hasty flight of the enemy escaped being burned. 114

December 30, Quebec. Same to same. (No. 119.) Enclosing returns of the ordnance and stores captured from the enemy since the beginning of the war, that the ordnance department may make a valuation for the benefit of the captors. 116

Enclosed. Return of the ordnance and stores taken at Michillimackinac, 17th July, 1812. 118

Ditto at Detroit, 16th August, 1812. 121

Descriptive list of brass and iron ordnance at Detroit on the same date. 127

Return of ordnance and stores taken at Queenston, 13th October, 1812. 131

Ditto of small arms taken at the River Raisin, 22nd January, 1813. 133

Ditto of ordnance and stores taken at Ogdensburgh, 22nd February, 1813. 134

Extracts of letters relating to the stores. 137 to 141

No date. Proclamation of Major General Wilkinson. 24

(In Prevost's No. 107 of 15th November.)

No date. Statement of the British and American squadrons on Lake Erie. 65

(In Prevost's No. 111 of 25th November.)

Miscellaneous Papers.

1813.
January 2, London. Simon McGillivary to Goulburn. Respecting the application of the North-west Company to the Admiralty for protection to their intended expedition. 143

January 3, "Royal William", Spithead. Admiral Sir Richard Bickerton to J. W. Croker. Enclosing to be laid before the Lords of the Admiralty a list of the British born soldiers taken prisoners from the American army, with an extract of a letter from the Adjutant General at Montreal concerning them. 150

Enclosed. The list. 151

The extract. 152

January 4, Ordnance *Office.* R. H. Crewe to Col. Bunbury. That a copy of the letter from Prevost, dated 5th November, 1812, be laid before Lord Bathurst, that the accom-

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trements asked for may be sent from the Storekeeper General's Department. Page 147

Enclosed. The letter from Prevost. 148

ary 4, ralty

John Barrow to Col. Bunbury. Transmitting papers relating to the British born subjects found serving in the American Army. 149

ary 5, issary ief's

J. C. Herries to Goulburn. Enclosing copy of a letter from Harrison, asking for a particular information as to the complaints made by the Indian tribes of Canada on the quality of some of the articles sent out. 153

Enclosed. The letter dated 30th December, 1812. 154

ary 5, ury bers.

Harrison to Goulburn. Enclosing copies of letters from Prevost stating that he has issued warrants for the amount of £5,000 and £15,000 in aid of the Civil expenditure of Lower Canada. 155

Enclosed. The letters dated 30th September and 3rd October, 1812. 156–157

ary 14,

David Deane Roche to Bathurst. There are many inhabitants of the Northern and Eastern states who would only be too glad to renounce their allegiance to the United States if some help was afforded them by the expedition about to sail. Offers personal services. 158

ary 15, on.

Simon McGillivray to A. Gordon. Respecting the application of the North-west Company for protection to their ship. 161

ary 18, ury bers.

Harrison to Goulburn. Enclosing copy of a letter from the Commissioners of transports stating that they have appointed an Agent for prisoners of war in the United States. 165

Enclosed. The letter dated 7th January, stating that Thomas Barclay has been appointed. 166

ary 19, on.

Lord Selkirk to Lord Sidmouth. Unfolding his plan for the formation of a body of Canadian Fencibles. 167

ary 22, ralty

John Barrow to Bunbury. Enclosing for consideration a copy of a letter from Capt. Dowers, asking to be remunerated for his expenses in conveying Major General Wallis and suite from St. Vincents to Halifax. 170

Enclosed. The letter. 171

ary 22, ralty

Same to same. Asks what is to be done with the British subjects taken prisoners in the American Army as they have arrived at Sheerness. 172

ary 27, ralty

J. W. Croker to Goulburn. (Most secret and confidential.) Giving the time of sailing of the convoys for Lord Bathurst's information. 173

uary 8, n's Com-

The opinion of the Advocate. Attorney and Solicitor General as to whether the British subjects taken prisoners from the American army can be legally tried. 176

uary 9, ury bers.

Harrison to Bunbury. Enclosing for Lord Bathurst's consideration, copy of a letter from the Paymaster General relative to the reduction made in the remuneration granted to Captain Gray for preparing plans in Canada. 179

Enclosed. The letter. 180

uary 10, ury bers.

Same to Goulburn. Transmitting letter from Prevost with requisitions for Indian goods for 1813 and 1814, with the report of the Comptrollers of Army accounts thereon, for Lord Bathurst's opinion. 181

uary (?) St.

E. B. Brenton, enclosing general order for Lord Bathurst's information. 182

(The order is in Vol. 121, enclosed in Prevost's No. 48 of 18 March.)

uary 11, ury bers.

Harrison to Goulburn. Enclosing report from the Comptroller of Army accounts on two letters from Prevost and one from Col. Bunbury relative to the public expenditure in Lower Canada. 183

uary 15, ury bers.

Selkirk to Bathurst. Enclosing heads of a proposal for raising a regiment in Canada. 184

Enclosed. The proposal. 186

1813.
February 16, London. Rev. Thaddeus Osgood to Goulburn. Enclosing papers relating to "the case of the destitute poor of his Britannic Majesty's Dominions in Canada," for criticism before it is put in print. Page 188
Enclosed. The papers. 189 to 193.
February 17, Horse Guards. Torrens to same. Enclosing return of the detachments to be sent to North America, for which tonnage will be required. 194
Enclosed. The return. 195
February 19, Horse Guards. W. Wynyard to Torrens. (Private.) Had some months before presented a project, in writing, of Colonel Turner, relative to raising a Fencible Corps in Scotland for service in America. Asks if the Duke's decision has been given. 196
Enclosed. The proposal, dated 21st July, 1812. 197
February 23. John Trotter to Hugh Stuart. Respecting the Indian presents. 200
February 25, Admiralty Office. John Barrow to Col. Bunbury. Enclosing copy of a letter from Captain Austin, stating the destitute situation in which the British subjects, taken in arms in the United States Army, are for want of clothing. 201
Enclosed. The letter dated 22nd February, 1813. 202
February 26, Treasury Chambers. Harrison to Goulburn. Transmitting copy of a letter for the Commissary-in-Chief respecting the supply of Indian presents. 203
Enclosed. Letter dated Treasury Chambers, 25th February, 1813. 204
February 27, Horse Guards. Torrens to same. Asks that the necessary steps be taken to provide a passage to Canada for Major General Stovin and Brigadier General Darroch with their staffs. 205
February 27, Horse Guards. Duke of York to Bathurst. Returning Lord Selkirk's proposal to raise a regiment of fencible infantry with his (York's) remarks. 206
Enclosed. The proposal. 207
March 2, Admiralty Office. Barrow to Goulburn. Directions have been given to ship the twenty carronades and ammunition to Canada. 212
March 2. T. Tackle to Bathurst. As the Indians bordering on the United States will soon be quitting their hunting grounds, no time is to be lost if His Majesty's Government desires to forward any additional directions on the subject. Transmits observations made during his tour in the States. 213
March 2, Admiralty Office. Barrow to Goulburn. Orders have been given for passages to Canada for Majors Goore and Fulton on board the "Woolwich." 216
March 3, Admiralty Office. Same to Bunbury. Major General Stovin and Brigadier General Darroch are to be provided with passages to Quebec on board the "Woolwich." 217
March 3, Commissary in Chief's Office. J. C. Herries to Harrison. Respecting the Indian presents now preparing to be sent out for Upper and Lower Canada. 264
March 4, Admiralty Office. Barrow to Goulburn. Respecting the stores for the naval establishment in Canada. 218
March 4, Admiralty Office. Barrow to Goulburn. The commander of the "Woolwich" has been directed to receive on board the military stores for Quebec. 219
March 5, Transport Office. Alex. McLeay to ———. Will let him know when the stores to be shipped on the "Woolwich" will be ready. 220
March 5, Ordnance Office. Lt.-Col. Chapman to Goulburn. Orders have been given for the shipping of thirty-six 32 pounder ship carronades to Quebec instead of eighteen as originally intended. 221
March 5, Ordnance Office. P. A. Ouvry to same. (Immediate.) Asking for what service the 36 carronades are intended in order to decide the proportion of ammunition necessary. 222

12. Ad- Office. Barrow to Goulburn. The "Woolwich" is now ready to receive the naval stores for Canada but it is unable to take the barrack stores. Page 223

5, Ord- Office. P. A. Ouvry to Croker. Asks whether the orders have been given for equipping the vessels now building in Canada for naval purposes. 268

6, Ad- Office. J. W. Croker to Goulburn. The difficulty of supplying the requisite naval stores for Canada without a more particular knowledge of what is necessary. A number of officers and 400 seamen to be sent out. The naval officer to be employed on the lakes will be ordered to report on the state of the vessels and stores. 224

8, ort McLeay to Bunbury. With what department is it necessary to communicate, respecting the provision of tonnage for the conveyance of 150 horses to Quebec? 226

8, per Barker to Goulburn. In reply to his note to Mr. Trotter, states the Transport Board have been requested to furnish tonnage to Canada. 227

9, Al- louse. Wm. Osgsode to same. (Private.) States that the nomination of the Roman Catholic Bishop of Quebec rests entirely in His Majesty's Government. How Bishop Plessis was appointed. 228

9, Guards. Torrens to same. Asks that a passage to Quebec in the transports from Cork be furnished to Brigadier General Darroch, if he has not already left Ireland. 231

9, Ad- Office. Croker to same. (Secret.) Respecting naval affairs in Canada. 232

9. Selkirk to Bathurst. Explaining the points in his (Selkirk's) proposal for raising a regiment which the Commander-in-Chief had objected to. 236

10, Ad- Office. Croker to Goulburn. Asks where the stores not already embarked on the "Woolwich" are to be put on board. It is of importance that no delay should occur. 249

10, ort List of troop and cavalry transports appropriated to embark 1,204 men at Portsmouth, and 550 men and 150 horses at Cork, for Quebec. 250

11, Ad- Office. Croker to Goulburn. Respecting the stores to be put on board the "Woolwich." 251

11, Ord- Office. P. A. Ouvry to Bunbury. Transmitting copies of three demands for ordnance and ordnance stores for the vessels to be built in Canada, for the pleasure of His Royal Highness thereon. 252

11, ort Alex. McLeay to Goulburn. Measures have been taken for shipping the stores for Canada in the "Woolwich" with the utmost despatch. 253

12. J. C. Herries to same. Respecting the additional articles to be sent out as a reserve stock to Canada. 254

12, Ad- Office. Croker to same. Is commanded by the Admiralty to state that the "Woolwich" having left the Nore, the guns, sails and articles specified in the enclosed list will be put on board at Portsmouth. 256

Enclosed. List. 257

12, Ad- Office. Barrow to same. (Immediate.) The "Woolwich" passed the Downs and is gone to Spithead. 261

12, Guards. Torrens to same. Is directed by the Commander-in-Chief to apply for a passage for Major Ogilvie, 8th Regiment, on board the "Woolwich." 262

12, ers. Harrison to same. Transmitting copy of a letter from the Commissary-in-Chief respecting the Indian presents for Canada for 1813 and 1814. 263

12, Ord- Office. Lt.-Col. Chapman to same. Transmitting copy of a letter on the subject of the carronades under orders for Quebec. 265

1813.
March 12, Ordnance Office. P. A. Ouvry to Lt.-Col. Chapman. Respecting the carronad sent to Quebec.

March 12, Ordnance Office. Lt.-Col. Chapman to Goulburn. The carronades for Quebec embarked as soon as the name of the transport is signified.

March 12, Transport Office. Alex. McLeay to same. Respecting the convoy of the transpor ing the 41st Regiment to Canada.

March 13, War Office. W. Merry to same. Transmitting requisition for purveyor' for Canada. Requests that after it is laid before the Secretary he be informed for Lord Palmerston's information whether they sidered necessary.

March 13, Portsmouth. James F. Fulton to same. A passage will be provided fo Ogilvy on board the "Woolwich."

MISCELLANEOUS, 1813.

Q. 124.

1813.
March 9, Bermuda. Sir J. B. Warren to Croker. Enclosing letter from the Chev Ouie and states that he has sent the "Colibri" and "Morgi cruise off the coast of the Floridas and to use all efforts to as Spaniards in their defence; not having any troops it was im to afford the allied cause further aid.

Enclosed. Letter from the Chevalier de Ouie, dated Philadelp March, with news that General Pinkney is to command an ex of 2,000 men against the Floridas.

March 11, Halifax. Wm. Miller to the Commissioners for conducting H. M. T Service. Respecting a difficulty which has occurred in the exc prisoners of war in North America.

March 16, Treasury Chambers. Harrison to Goulburn. Enclosing letter from Prevost, dated 18th December last, with account current of the Receiver Ge Lower Canada, and a report of the committee of the Executive on the public accounts between 11th April and 10th October, Lord Bathurst's observations thereon.

Enclosed. Letter from Prevost.

Report of a committee of the Executive Council.

March 16, Admiralty Office. Barrow to Goulburn. As many as possible of the carron Canada are to be shipped on board the "Woolwich."

March 17, Admiralty Office. Croker to same. (Secret.) The two battalions of the Royal will embark for Canada in a few days. The transports to be en The "Mariner" has on board an assortment of Congreves Rock a lieutenant, two subalterns and fifty men, who have been exer the use of these rockets. Asks that Lord Bathurst state his vie the instructions to be given to Admiral Warren, commanding in for the employment of his force.

March 19, Admiralty Office. Croker to same. Enclosing copy of instructions given to Si Yeo, who is to sail for Canada on the "Woolwich", for Lord B information.

Enclosed. Copy of instructions.

March 19, Admiralty Office. List of officers and seamen to be employed on a particular se the Lakes of Canada.

March 19, Whitehall. J. Beckett to Goulburn. Is directed by Lord Sidmouth to req Lord Bathurst give the necessary directions for having the Bri jects found serving in the Army of the United States placed o the tender off the Tower in order to undergo examination.

March 20, Treasury Chambers. Harrison to Bunbury. Transmitting letter from the Commi Chief, dated 17th instant, respecting clothing for troops in Cana

1813.
h 20, mouth. Colonel Archibald Stewart to the Duke of Kent. Asks that an Admiralty order be given for passages to Canada for himself and Captain Smyth, as on their arrival they found the fleet had sailed. Page 73

h 22, ehall. J. N. Addington to Goulburn. In answer to Lord Bathurst's suggestions for endeavouring to raise reinforcements for Canada from the Scottish Militia. 63

h 22, ver rs. Count de Sieven to Bathurst. (In French.) Enclosing memorial of the Abbé de la Trappe. Recommends the memorial to favourable consideration. 64

Enclosed. The memorial. 65

h 22, Adty Office. Barrow to Goulburn. The necessary directions have been given for having the British subjects taken in the American Army put on board the tender off the Tower. 68

h 25, Adty Office. Croker to same. Captain Richbell. Regulating Officer on Tower Hill, is to report to him (Bathurst) the arrival of the prisoners on the tender. 69

h 26, Guards. H. Calvert, Adjutant General, to Torrens. Enclosing letter from the Duke of Kent, requesting that application be made to the Lords Commissioners of the Admiralty for passages to Canada for Colonel Stuart and Captain Smyth, Royal Scots. 71

Enclosed. Letter from the Duke of Kent, dated 23rd March. 72

h 27, Guards. Torrens to Goulburn. Transmitting copies of two letters asking for passages to Canada for Colonel Stuart and Captain Smyth. 70

h 27, r Hill. T. Richbell to same. Stating that twenty-two British subjects found serving in the American Army have arrived and are now on board the tender. 74

h 27, ury bers. C. Arbuthnot to same. Lord Bathurst is to be assured that he (Arbuthnot) will have great pleasure in giving him a clerkship in Canada for Mr. Tackle. 75

h 29, Office. W. Merry to same. States, for Lord Bathurst's information, that the necessary directions have been given for supplying the Purveyor's stores required for Canada. 76

h 30, ln's Inn. H. Hobhouse to same. For the names and residences of the witnesses against the twenty-two soldiers now awaiting their trial. 77

h 31, outh. Col. Sidney Beckwith to same. Expects the Marine battalions will be on board their respective ships this afternoon; is not so sanguine about the company from the Isle of Wight, as the officers seem to know nothing of their men. The "Success" has not made her appearance from Guernsey. Sir Robert Calder is to telegraph whether she is to be waited for or not. 78

6, outh. Same to same. The "Success" having arrived, the ships are all ready for sea. Hopes to set sail next morning. 80

6, Adty Office. Barrow to same. Henry Kelley, having arrived at the Tower, asks that directions be given respecting the twenty three men taken in the American Army. 81

7, Adty Office. Same to Bunbury. Transmitting letter and enclosure from Sir John Warren, representing that he had sent two vessels to cruise off the coast of the Floridas. 82

8, Transffice. List of transports under orders for North America exclusive of those collecting at Cork. 86

9, Transffice. Alex McLeay to Goulburn. Enclosing copy of an extract of a letter from the agent of this department at Deptford, Capt. Young, respecting the loading of the transports with ordnance and Storekeeper General's stores for Quebec and Halifax. 88

Enclosed. Extract of the letter. 89

10, port Same to same. Enclosing for Lord Bathurst's information, a list of transports from Portsmouth to North America, together with copy of a

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letter from the agent at Deptford relative to the ships in the river preparing for that destination. Page 90
Enclosed. The list. 91
Copy of the letter. 93
April 10. J. C. Herries to ———. Finds that the delay in the departure of the Storekeeper General's stores rests with the Transport Board. 94
April 12, Transport Office. McLeay to Bunbury. Enclosing a memorandum to correct an error in the return of the 9th inst. 95
Enclosed. The memorandum. 96
April 12. Respecting the number of militia in Canada. 97
April 12, Transport Office. Alex McLeay to ———. Acknowledging letter of the 3rd inst., with enclosure from Messrs Idle, Coates and Co., requesting permission to load with naval timber any transports which may be returning to this country empty, upon paying freight for the same. The disposable tonnage in these transports has been transferred to the Commissioners of the Navy, which is considered preferable to giving it to private individuals. 98
April 14, Transport Office. Same to Goulburn. Enclosing extract of a letter from Captain Young, agent for Transports at Deptford, which will show that no avoidable delay has taken place on the part of this department in the appropriation of tonnage for the stores to be shipped to the Storekeeper General in North America. 100
Enclosed. The extract, dated 14th April. 102
April 14, Whitehall. J. Beckett to same. Encloses the opinion of the Attorney and Solicitor General on the case of the British subjects taken while serving in the American Army. Submits to Lord Bathurst whether it might not be advisable to employ these men in some naval or military service in this country, as although there is evidence enough to detain them, yet there is not sufficient legal evidence in this country to support the charge before a magistrate. 107
Enclosed. Report of the Attorney and Solicitor General. 109
April 15, Horse Guards. Torrens to same. Asking that Lord Bathurst give directions that tonnage be provided for conveying a detachment of the 13th Regiment to Canada. 110
April 15, Transport Office. McLeay to same. Enclosing, for Lord Bathurst's information, a copy of a statement from the Transport agent at Deptford, showing the progress making in loading the store transports for North America. 111
Enclosed. The statement. 112
April 15, Admiralty Office. Barrow to same. Enclosing copy of a letter from Captain Richbell with enclosure from Dr. Downey, stating that the American prisoners can no longer be kept on board the Tender without inconvenience and asking that they be removed. 114
Enclosed. Letter from Captain Richbell, 14th April, 1813. 115
Ditto from Dr. Downey. 116
April 16, Lat. 44.10, Long. 22.26. Sidney Beckwith to Goulburn. Acquainting him that he is thus far on his voyage. The troops in the best health. 117
April 16, Storekeeper General's Office. J. Barker, Deputy Storekeeper General, to ———. Acknowledging letter and enclosures of the 15th inst., relative to the vessels now loading for Canada and desiring that the clothing for the Canadian Militia may be put on board the first transports. States, in reply, that the clothing has been already sent down to be loaded. Names of the vessels. Enclosing return of the articles of clothing required for this service and the report of Captain Young, Transport agent, on the state of the ships now loading. 118
Enclosed. Report. 121
Enclosed. Return. 122

Alex. McLeay to Goulburn. Enclosing extract from the report of the Transport agent at Deptford. Page 123
Enclosed. Extract. 124
John Inglis to Bathurst. Transmitting a printed letter cut out of a book of reports on shipping and navigation, published by the Society of Ship Owners, in 1807. The author, Lt.-Col. Alex. Fraser, of the 34th, is well known. Thinks that circumstances may arise during the war which may make the suggestions in this letter useful. Advising an expedition to New Orleans. Advantages which might be derived from such an expedition. A. P.S. acknowledges letter from him (Bathurst) giving permission to use a sum of money for charitable objects. 125

W. Merry to Goulburn. Respecting the requisition for purveyor's stores for the use of the troops in Canada. 129
Alex. McLeay to same. Enclosing copy of an extract of a letter from the agent for transports at Cowes, by which it will be seen that the detachment of the 89th was embarked for Canada on board the "Lord Cathcart." 130
Enclosed. The extract. 131
Torrens to same. In reply to his letter of the 15th inst., with its enclosures relative to the British subjects taken in arms, he states for Lord Bathurst's information, that His Royal Highness is of opinion that these men should have the alternative of returning to the station to be tried or of entering the army for general service. They are to be given the option immediately. 132
J. Barker to same. Enclosing a detailed invoice of clothing, necessaries and accoutrements shipped on board the "Bellfield," "Sarah Ann" and "Northumberland," as part of the supply ordered for the use of the troops in Canada. 133
Enclosed. The invoice. 134 to 146
List of transports sailing under convoy from Cork for Quebec, on the 17th inst. 147

List of transports sailing from the Downs for North America, on the 20th and 21st inst. 148

Torrens to Goulburn. The alternative suggested has been offered to twenty-two soldiers, who have unanimously rejected the proposal of entering the British Army and prefer being ordered to America to stand their trial. 149
J. Barker to Harrison. Enclosing a return of sundry cases of stationery shipped for Canada. 162
Enclosed. The return. 163

Thos. Leach, Attorney to Samuel Sansum and John Allsopp, Attorney to Robert Allsop, to Goulburn. Begging that steps may be taken respecting the petition of Samuel Sansum and Robert Allsopp, asking for lands in Canada on behalf of their children. 150
Edward, Duke of Kent, to Bathurst. Enclosing the memorial of the widow of the late David Lynd, prothonotary of the Court of King's Bench for the District of Quebec. A former memorial appears to have miscarried. Recommends the prayer of the memorialist. 151
Enclosed. The memorial asking for a renewal of the lease of the farm near Quebec, called Bellville. 153
Wm. Walter to Goulburn. The commissioners for auditing the account of the late Henry Caldwell as Receiver General of the Province of Lower Canada, having no further occasion for certain letters and documents transmitted in Cooke's letter of 27th June, 1808, return them. 157

1813.
April 27, Transport Office. Alex. McLeay to Goulburn. Transmitting copy of a letter from Lieut. Wm. Miller, agent for prisoners of war at Halifax. Page 158

May 2, Horse Guards. The Commander-in-Chief to Lord Sidmouth. Respecting the proposition for augmenting the forces in Canada by procuring volunteers from the militia of Scotland. 163

May 4, Whitehall. J. H. Addington to Goulburn. The proposition for augmenting the force in Canada contained in his (Addington's) letters of 17th March and 27th April, having been referred to the Commander-in-Chief, he now transmits his reply and begs that Lord Bathurst favour Lord Sidmouth with his sentiments thereon. 164

May 9, Horse Guards. The Commander-in-Chief to Bathurst. Further respecting the plan for augmenting the forces in Canada. 167

May 10, Hudson's Bay House. "Petition of the Governor and Company of Adventurers of England trading into Hudson's Bay for and on behalf of the Right Honourable the Earl of Selkirk." 169

May 15, Transport Office. Alex. McLeay to Goulburn. Enclosing a list of transports under orders for North America, and stating that the "Earl of Moira" will receive the 170 men of the 22nd Regiment under orders for the Mauritius. 171

Enclosed. The list. 172

May 19, Storekeeper General's Office. J. Barker to Harrison. Enclosing a return of stores for Canada shipped on board the "Northumberland," "Prince of Wales" and "Prospect." Bills of lading have been forwarded to Prevost. 211

Enclosed. The return. 212

May 25, Treasury Chambers. Harrison to Bunbury. Transmitting letter from the Secretary at War relative to sending out great coats to Canada for the use of the troops for Lord Bathurst's opinion thereon. 175

May 28, Treasury Chambers. Same to Goulburn. Transmitting for Lord Bathurst's information a copy of a letter from Prevost, respecting the civil expenditure in the Canadas. 173

Enclosed. Letter from Prevost, dated 28th January. 174

May 31, Storekeeper General's Office. J. Barker to Hugh Stuart. Encloses, agreeable to his request, a return of the stores provided in the present year for the use of the troops in Canada, with the Indian presents furnished; also a return of the stores shipped for Halifax in December last, with a statement of what have been ordered for the present year. 176

June 3, Bermuda. Beckwith to Bathurst. Arrived here after a passage of forty-six days. The troops generally healthy. Encloses returns showing how he has divided his troops. Has detained D. A. C. G. Osborne, as there is no officer of that department with him. Has obtained the services of Lieut. Robertson, R. A., who knows the coast of America, as he (Beckwith) had no officer with him having the requisite knowledge. Remarks on the troops. The error which has occurred in the Ordnance Department respecting the rockets sent out. Cannot close without acknowledging obligations to General Horsford. 177

Enclosed. Account of rockets on board the "Mariner." 182

"General embarkation return and field equipments in possession and wanting to complete the 1st Brigade under Lieut.-Col. C. Napier." 183

Ditto under Lt.-Col. Williams. 185

General embarkation return of the force under Colonel Sir Sidney Beckwith. 184

Extract from the bill of lading of the "Mariner." 186

June 3, Quebec. Bishop (Anglican) of Quebec to Bathurst. A long paper on ecclesiastical affairs in Canada. 187 to 203

June 3, Carleton House. Proceedings in Council on a Bill intituled "An Act to grant certain duties to His Majesty towards supplying the wants of the Province of Lower Canada during the present war with the United States of America and for other purposes." 204

1813.
3, Treas- hambers. Harrison to Goulburn. Enclosing copy of a letter from the Storekeeper General's Department reporting the shipment of presents for the Indians in Upper and Lower Canada. Page 208

Enclosed. The letter. 209

5, hall. J. Beckett to same. Transmitting, by direction of Lord Sidmouth, a communication from the Adjutant General, requesting some explanation as to the terms on which the Scotch Militia will be allowed to enlist into the 49th, for Lord Bathurst's opinion thereon. 210

8, Ad- y Office. Barrow to Bunbury. Asks for a description of the sloop of war on Lake Ontario, for which cordage is required. 212

8, hall. Jos. Buller to Goulburn. Enclosing copy of a report from the Committee for Trade and Foreign Plantations on the Bill for granting certain duties to His Majesty to help to defray the expenses of the present war. Remarks. 213

Enclosed. Proceedings. 215

8, Guards. Torrens to same. Is ordered by the Commander-in-Chief to represent the expediency of appointing a second major for the Glengarry Light Infantry. 218

14, Ord- Office. R. H. Crewe to Bunbury. The ordnance, small arms and ammunition required by the Adventurers of England trading to Hudson's Bay having been supplied, he asks that the value of these goods, £2,563–4–4 be paid by the Treasury to the Treasurer of this department. 219

te. A memo. stating what had been done respecting Mrs. Lynd's first memorial. 156

STATE PAPERS—UPPER CANADA.

Lieut.-Governor F. Gore and Miscellaneous—1808.

Q. 311—I.

4. Francis Gore to Edward Cooke. (Private.) Has never seen the King's instructions to Craig, nor received those mentioned for the guidance of his own conduct, but has fortunately anticipated them. Hopes war will not take place; if it does, is afraid of the consequences. Thorpe's conduct; his object seemed to be to govern the province. Will say nothing about Mr. Wyatt, but will be glad if he can justify himself. Did not approve of the prosecution of Thorpe for libel and ordered the business to be stopped. There is no country in the world where grievances are so little known as in Canada, and for that reason the people are proud and impatient of control. Two classes think they have reason to complain; the soldiers that belonged to the Queen's Rangers, reduced in 1805, who consider it hard they did not receive lands under the King's instructions of 1783, and the troops reduced in Nova Scotia and New Brunswick and other Loyalists settled in those provinces, who also expect land free from expense. An idea prevails, which has been industriously spread by Mr. Thorpe and his partisans, that the revenues collected on goods imported from America have not been accounted for. Such a calumny is easily contradicted. A great cause of dissatisfaction is the want of roads. After the bounty lavished on this country by England, it is hardly to be expected she is now to build roads, concede this point and she will soon be accused of unjustness for not having built their houses. Thanks for the friendly hints on his conduct. Respects to Lord Camden. Wishes for a favourable answer to his letter, No. 26, respecting Lt.-Col. Shaw. Page 2

13. Gore to Castlereagh. (No. 9, duplicate.) Enclosing two requisitions. 18

Enclosed. Requisition for Indian presents required in Upper Canada for the year 1809. 20

Requisition for an extra quantity of Indian presents required for Upper Canada in the event of war. 24

29. Gore to Castlereagh. (No. 10.) By reason of the advanced age of Messrs. Grant and Russell and the retirement of Lt.-Col. Shawe, the Executive Council of this province is at present so circumstanced that the public business is often suspended. Will not bring Mr. Justice Powell to his further notice, but recommends Prideaux Selby as a fit person to be appointed an honorary member. 29

Same to same. (No. 11.) The Legislature met on the 20th of January for the despatch of business. Encloses copy of his speech to the two Houses and their addresses with his answer. Encloses also copy of his speech on prorogation which took place on the 16th inst., also copy of an address from the Assembly and answer. The Militia law is much improved by a Bill last Session, a clause of which provides that in the event of the war the person administering the government is empowered to march the Militia forces not only into Lower Canada, but even into the United States. Six members have been added to the House of Assembly. £16,000 has been appropriated for encouraging the growth of hemp. The ferment excited in the public minds by Thorpe's party appears to be gradually subsiding. 32

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Enclosed. Speech to the two Houses. Page 35
Their addresses and his answer. 37 to 42
Speech on prorogation. 43
Address from House of Assembly, with answer. 47

March 21, York. Gore to Castlereagh. (No. 12.) In the existing state of affairs had thought it prudent to employ a confidential agent to obtain information as to the designs of the American Government. Has paid to this person £150 currency, but hearing that others under a higher authority are at present employed has recalled him. 51

March 26, York. Thomas Scott to Gore. (Private.) Has received this day the news of the death of Chief Justice Allcock. On his (Scott's) apppointment to the Attorney Generalship of this province, he was led to expect the Chief Justiceship first of Upper and then that of Lower Canada as vacancies should occur. Has no wish to fill the latter post but only desires to be Chief Justice of Upper Canada. 57

(In Gore's of 28th March.)

March 28, York. Gore to Cooke. (Private.) As the death of Mr. Allcock may occasion some alteration in the arrangements for filling the vacancies on the Bench of the Canadas, encloses copy of a letter from the Chief Justice. He considers himself entirely under the control of Sir James Craig; therefore transmits all reports, &c., respecting the Indian Department to him instead of troubling Lord Castlereagh. States, however, that there is no truth in the assertion made by the newspapers, of the American influence over the Indians. He (Cooke) is not to be alarmed at the clause of the Militia Act empowering the Lieut.-Governor to march the militia into America, he does not propose to conquer the States with the Upper Canadian forces, but in case of war that clause might afford the means of destroying the enemy's depots in our neighbourhood. Our revolutionary press continues its operations. The printer imprisoned for seditious libel. The House of Assembly wished to pass a law to license the press, but as he (Gore) did not know if such a strong measure would be approved he put a stop to it. If he is mistaken the next Assembly will probably enact the law. Is puzzled what steps to take in order to refute the statements made in Mr. Wyatt's reply. Transmits report of the Executive Council for perusal; hopes it will exonerate him from the imputation of fabricating a calumny with the design of injuring Mr. Wyatt. All our information here regarding peace or war is derived from the American press. They appear to be as much in the dark as ourselves. Respects to Lord and Lady Camden. Has not heard from Commissioner Watson for many months. Has received Stewart's letter introducing Colonel Chabot; hopes to show him the lions of Upper Canada. 53

(Enclosure calendared at its proper date.)

April 2, William Firth, Attorney General for Upper Canada, to Gore. It is his intention to apply to the Secretary of State for War, requesting that he be recommended to His Majesty for the position of Chief Justice. Asks for a letter of introduction to Lord Castlereagh. 134

(In Gore's No. 13 of 4th April.)

April 3, York. Gore to Cooke. (Private.) Encloses copy of a report of the Executive Council mentioned in a former letter on the charge made against Mr. Wyatt of having fraudulently erased the name of a person from a plan in his office and inserted his own. As Mr. Wyatt has publicly stated in his reply to that charge, that he (Gore) fabricated the story, writes at length on this subject. 60

Enclosed. Report of the Executive Council, dated 19th March, 1808, with the papers relating to the affair. 68 to 131

April 4, York. Gore to Castlereagh. (No. 13.) Enclosing letter from Mr. Firth respecting the Chief Justiceship now vacant. Page 133

(Enclosure calendared at its proper date.)

Same to same. (No. 14.) Calling attention to the enclosed address of the House of Assembly on the subject of the growth and culture of hemp in the province. As the soil and climate of Canada appear well suited for the raising of that article and the reports from the English manufacturers are very favourable as to its quality, recommends every encouragement to the industry. It will be seen by the address that the House has given all the assistance in its power, which is very inadequate. Page 136

Enclosed. The Address. 139

Same to same. (No. 15.) Enclosing abstract from Auditor's Docket Books of grants of land. 142

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada which have passed the Great Seal of the Province between the 1st of January and 31st December, 1807.

Counties.	Number of Grants.	Districts.	Number of Acres.	Total Number of Grants.	Total No. of Acres Granted.
York	229	Home	83,039 3/10	229	83,039 3/10
Durham	12	Newcastle	2,850	36	8,601
Northumberland	24		2,751		
Lincoln	41	Niagara	40,072	41	40,072
Glengarry	40	Eastern	8,929	230	51,417
Dundas	37		9,141		
Prescott	8		2,834		
Russell	56		11,712		
Stormont	89		18,801		
Grenville	32	Johnstown	5,329	115	26,059
Carleton	2		400		
Leeds	81		20,330		
Essex	26	Western	4,207	35	8,055
Kent	9		3,848		
Middlesex	5	London	3,900	38	12,300
Norfolk	21		5,950		
Oxford	12		2,450		
Frontenac	35	Midland	4,703 1/2	81	14,578 1/2
Hastings	12		2,900		
Lennox and Addington	18		4,161		
Prince Edward	16		2,814		
Total	805		244,122 7/10	805	244,122 7/10

Errors excepted.

PETER RUSSELL,
Auditor General.

1808.
April 19, York. Gore to Castlereagh. (No. 16.) Asks for approval of a warrant to pay for the fuel and candles consumed in Government House. Page 145

April 20, York. Gore to Castlereagh. (No. 17.) Enclosing petition of Richard Cartwright, a member of the Legislative Council in this province. Recommends the petition. 147

Enclosed. The petition asking for a grant of land over and above the 3,000 acres given to him as a Councillor. 150

April 28, York. Same to same. (No. 18.) Enclosing letter from George Harrison, conveying instructions from the Treasury requiring Mr. McGill to relinquish two out of the three appointments held by him in this province; copy of his (Gore's) reply to same. Hopes his retaining Mr. McGill to perform the duties of Inspector General of Provincial Accounts until further instructions are received will be approved. It is a measure of necessity as Mr. McGill is the only person in the Civil Departments on whom he can depend for information as to the accounts; should he be removed from the office of the Inspector General great confusion would be the result. Thinks that the salary of 10 shillings a day is not adequate pay for the labour required. The most lucrative of McGill's appointments, agent for purchases, is now withdrawn. The salary of Commissary does not exceed £150 a year. Thinks the salary attached to the office of Inspector General in this Province should be the same as in the Lower, viz., 20 shillings per day. 152

Enclosed. Letter from the Treasury to Gore, dated 7th November, 1807, that McGill is to give up two out of the three situations held by him. 157

Answer to the above. 160

James Green, Military Secretary, to McGill. Purchases will in future be made at Quebec, therefore the appointment of Agent for purchases will be withdrawn. 174

Green to McGill on the same subject. 176

Statement of the duties of the Inspector General of Public Provincial Accounts. 178

Public Notice, signed John McGill, agent for purchases. 194

Letter from the Treasury to Simcoe, dated 2nd April, 1794, respecting the purchasing for the posts. 196

Simcoe to the Treasury, 5th August, 1794, on the same subject. 199

Treasury to Simcoe on the subject of purchases and the salary to be given to the agent. 202

P. Hunter to McGill, dated Quebec, 23rd February, 1801, highly approves of his transactions as agent of purchases. 205

May 31, Downing St. Draft of a letter to Gore. Measures to be taken for having a grant of 1,200 acres made to Mr. William Bond in order to enable him to carry on the culture of hemp. This industry is of the greatest importance and every assistance possible is to be afforded him. 207

June 4, Downing St. Same. (No. 6.) Despatches Nos. 1 to 10 inclusive, received and laid before the King. His Majesty is pleased to approve of Mr. McGill to succeed Lt.-Col. Shawe as an ordinary member, and of Mr. Powell and Mr. Selby to be honorary members of the Executive Council. 31

June 8, York. Gore to Castlereagh. Transmitting copies of sixteen Acts assented to at the close of the fourth Session of the Fourth Provincial Parliament, with a schedule and also copies of the Journals of the Council and Assembly for the same Session. 210

June 30, Downing St. Draft of a letter from Castlereagh to Gore. (No. 5.) That he (Gore) is to have the Indian Store accounts of Upper Canada examined and a report sent to the Treasury. 209

July 29, York. Gore to Castlereagh. (No. 19.) Despatches received. 211

Gore to Cooke. Letter of the 16th October, 1807, enclosing estimate of the Civil establishment of Upper Canada for 1807 received. Page 212

Same to same. (No. 20.) Papers relating to the claims of the Baroness of Longueuil and Patrick Langan to Grande Isle and the adjacent Islands opposite the town of Kingston. 213

To the end of the volume.

Proclamation (in French) by John Graves Simcoe, to those persons desiring to settle on Crown Lands in Upper Canada. 11

Salary and emoluments of the Attorney General for 1807. 132

Lieut.-Governor F. Gore and Miscellaneous—1808.

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Continuation of the papers relative to Grande Isle and adjacent Islands. Pages 256 to 238.

Report of the Attorney General of Lower Canada on the claims made to Grande Isle. 339

Opinion of the Solicitor General of England on the same. 344

John McGill to Christie and Shaw. Requesting them to find out what occasions the delaying in forwarding the *mandamus* appointing him an honorary member of the Executive Council. 437

John Henry to Edward Ellice. Asks for his influence in procuring him the position of Puisne Judge, vacant through the dismissal of Thorpe. 421

H. Wellesley to Cooke. Transmitting abstract of warrants issued by Governor Gore, on the Receiver General of Upper Canada, for Lord Castlereagh's observations thereon. 382

Harrison to same. Transmitting letter from Gore, dated 15th October last, enclosing requisitions for stationery for Lord Castlereagh's opinion thereon. 384

Robert Thorpe to Castlereagh. Had received on the 26th October, a private letter from Cooke stating that he was to be suspended from his judicial appointment, and not to remain in Canada through the winter; set off the next day for England. Judges from this that the charges preferred against him are serious. Asks for a speedy investigation as he is in bad health. Flatters himself nothing can be proved against him except poverty. 387

Wm. Johnson, Lt.-Col. 28th Regiment, to Castlereagh. Wishes to be appointed assistant in the Indian Department under his father. 388

Harrison to Cook. Transmitting the account of Civil expenditure for Upper Canada, from 1st January, to 30th June, 1807, for Lord Castlereagh's observations thereon. 390

James Wyatt to Castlereagh. (Private.) Has suffered great anxiety since hearing of his son's suspension from the office of Surveyor General of Crown Lands in Upper Canada. Is now much relieved to hear that his explanation appears to have exculpated him, and that though it is not considered wise to restore him to his former position yet he is to be recommended to the Treasury for some other equivalent appointment. Asks for particulars as to the charges, &c. 391

Wm. Johnson to Cooke. Does not wish to conceal the fact that he applied for the situation of Assistant Superintendent of the Indian Department with the hope of succeeding his father. Sir William Johnson, his grandfather, considered that this appointment was to remain in the family. Asks for a final decision. 395

Lt.-Col. R. Matthews to Cooke. Enclosing memorial from Mrs. Bird, widow of the late Lt.-Col. Henry Bird. 406

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The memorial states that no compensation has ever been made land at the mouth of the Detroit River, belonging to her late h which was taken possession of by the Government for the pur building a fort, &c. P

Sketch and memorandum accompanying the memorial. 410*a*,

February 6, York. Wm. Firth, Attorney General, to same. Soliciting the unappr salary of the Attorney General of Upper Canada, from the tim appointment of Mr. Scott the late Attorney General, to the Chief ship, up to the date of his appointment.

A P.S. states that the House of Assembly are bringing in a establish a Court of Common Pleas in every district, which be will have a very injurious tendency. Considers this the fi towards declaring the independency of the Province, as the offic by the Judges appointed by the King will become mere sinecu Judges will be selected from the few "unlearned native barrister

February 10, London. Edward Ellice to Wm. Ellice. Transmitting letter from Mr. soliciting the appointment of Puisne Judge in Upper Canada, through Mr. Thorpe's removal. Also several letters recommend appointment.

February — Downing St. Castlereagh to ———. Mr. Wyatt, the Surveyor General of Canada, having been suspended from his office on account of his towards His Majesty's Government, he, Castlereagh, suggests th sures be taken for filling the position. Considers the suspension p just. Hopes Mr. Wyatt may be employed in the public service other of His Majesty's colonies, where he may avoid such indi for the future.

March 19. Inglis, Ellice & Co., McTavish, Fraser & Co., Brickwood, Danie to Castlereagh. Seconding the application made in behalf Henry, of Montreal, for the appointment of Puisne Judge in Canada.

April 4, York. Wm. Firth to Castlereagh. Asking to be appointed to the Chief ship of Lower Canada, vacant by the death of Alcock.

April 28. W. D. Adams to Cooke. Asks for the appointments, or certifie thereof, made to John Small, John Powell and Thomas Scott.

May 23. Chrystie and Shaw to same. Asks when the *mandamus* ap Mr. McGill to a seat in the Council will be received, as he cann the salary until it is, although performing the duties.

June 1, Treasury Chambers. Harrison to same. Transmitting requisition for stationery Indian Department, Upper Canada, for the year 1809, and ask Lord Castlereagh's opinion thereon.

July 3, Chelsea College. R. Mathews to same. Had transmitted on the 5th of F last, a letter on behalf of the widow of Lt.-Col. Bird, acco by her memorial, to which no answer has as yet been received that they be submitted for Lord Castlereagh's consideration.

July 19, London. Robert North to same. Respecting his salary.

July 29, York. Gore to Harrison. Transmitting public accounts and vouc the half years ending 31st December, 1807. Also sends voucher port of the accounts for the half years ending 31st December, 1 30th June, 1807.

August 15, York. Same to Castlereagh. Transmitting copy of the proceeding Executive Council on land matters from 9th September, 1806, December, 1807, and on State matters from 13th October, 1807, June, 1808.

August 19, York. Same to same. (No. 21.) A number of troops after servin American war, were reduced and had grants of land made to Nova Scotia and New Brunswick, where they settled, but many

1808.

finding after repeated exertions that the land was not productive, have come to Upper Canada and ask for grants free of expense. Asks for instructions. Page 348

tember 14. Order in Council appointing Wm. Dummer Powell and Prideaux Selby, honorary members of the Executive Council of Upper Canada. 447

tember 14. Order in Council appointing John McGill an honorary member of the Executive Council of Upper Canada. 449

tember 16, rk. Gore to Cooke. (Private.) Has been informed that Lt.-Col. Johnson of the 28th Regiment has quitted the Army or is about to do so, that he may return to Canada, hoping to succeed his father, Sir John Johnson, as Superintendent General of Indian Affairs, who wishes to resign in favour of his son. Personal influence and a thorough knowledge of the character and customs of the nations are of the greatest importance in filling this responsible position. As Lt.-Col. Johnson is a total stranger to the Indians, he does not consider him a fit person for the appointment. Colonel Claus, the Deputy Superintendent General is the proper person to succeed Sir John. Recommends him in the strongest terms. Encloses some letters which Thorpe may thank him for not having transmitted officially. Hopes he is done with that gentleman. Hears that some of the merchants of Montreal have memorialed Lord Castlereagh to appoint a Mr. Henry in Thorpe's place. Can scarcely believe in it, as Henry is an Irish adventurer, not even called to the Bar, and also a citizen of the United States. 351

Enclosed. Letters respecting Thorpe's debts. 356 to 364

tember 23. C. B. Wyatt to ———. Asking if anything had been done on his behalf. 451

tember 26, rk. Wm. Dummer Powell to Cooke. (Private.) Enclosing extract of a letter from his son Jeremiah, now at Curacoa. His knowledge of French and Spanish and acquaintance with the trade of the West Indies, should qualify him (Jeremiah) for some situation. Hopes he will be remembered if such an opening occur. 453

Enclosed. The extract. 455

tember 28, itehall. W. Fawkener to same. The Lords of the Committee of Council for Trade have considered Mr. Wm. Bond's representation respecting the culture of hemp. Recommend that 1,200 acres of land be granted to him. 476

tober 7, rk. Gore to Castlereagh. (No. 22.) Reporting the death of Peter Russell, an Executive Councillor, and Receiver General of this Province. Has appointed Prideaux Selby to act as Receiver General till His Majesty's pleasure be known. Recommends Mr. Justice Powell to be a member of the Council in the room of the late Mr. Russell. 364

tober 9, rk. Same to same. (No. 23.) Despatches received. Mr. Powell and Mr. Selby have been sworn in as honorary members of the Executive Council. 365

tober 12, rk. Same to same. (Separate.) Asks that his appointment of Mr. Selby as Receiver General be confirmed. 369

tober 14, easury ambers. Harrison to Cooke. Transmitting letter from Lt.-Governor Gore dated York, 29th July, together with the public accounts and vouchers for Upper Canada. Asks for Lord Castlereagh's observations thereon. 458

tober 16, ndon. Capt. Wm. Armstrong to Cooke. Enclosing a letter to his friend Williamson, about whom he is uneasy, not having heard of him for sometime. Asks that the letter be forwarded. In his last letter had stated his intention of asking his (Cooke's) help, in procuring him one of the consulships now vacant in the United States, but yesterday had received news of the death of Peter Russell, Receiver General, of Upper Canada; To succeed to this position would be the summit of his wishes. Hears that the 3rd Regiment at Halifax is under orders to embark, and the 98th is to take its place. The vessels under the convoy of the "Iphigenia" have

1808.

arrived. She sails again at the end of the month. The "Centurion" has arrived, but none of her convoy. Page 461

October 19, York. Gore to Castlereagh. (No. 24.) In reply to despatch No. 5, states that he has written to the Governor-in-Chief on the subject of the Indian Store accounts, and encloses copy of letter to him. Had some time ago submitted to Sir James Craig the propriety of appointing a Board of Accounts in this province; his motive was to have all the accounts, some of which are of many years' standing, finally adjusted. Craig approved of his proposition, and requested the names of suitable officers, which were sent in June last, but no further instructions have been received. Asks that he be allowed to nominate a Board. 370

Enclosed. Same to Craig, 18th October, 1808, respecting the store accounts. 374

October 20, York. Same to Cooke. (Private.) Is sorry to trouble him with another private communication, but the death of the Receiver General calls for information respecting that office. In Lower Canada the duties are easily executed, but here the Land Granting Department is so extensive that the duties are arduous. The small salary will surely not tempt any one at Home, and as Mr. Selby is in every way competent, hopes he will be appointed. 366

November 25. Robert Thorpe to same. Respecting his quarter's salary. 464

November 30, Treasury Chambers. Harrison to same. Transmitting the public accounts of Upper Canada for the half year ending 30th June, 1808, and requesting Lord Castlereagh's observations thereon. 466

December 6, Treasury Chambers. Harrison to Cooke. Transmitting abstracts of warrants issued by Gore on the Receiver General for Lord Castlereagh's observations thereon. 467

December 15, York. Gore to Castlereagh. (No. 25.) Enclosing memorial of D'Arcy Boulton, Solicitor General of Upper Canada; recommends his petition. 377

The memorial asks for the unappropriated salary for the time he executed the duties of Attorney General. 378

December 23, Treasury Chambers. Harrison to Cooke. Transmitting three requisitions for stationery sent by Gore, and requesting Lord Castlereagh's opinion thereon. 468

December 23. Memo. of a letter to the Treasury unsigned. Though he thinks it advisable that Mr. Wyatt should not be allowed to return to his office in Canada, yet does not by any means wish that he be excluded entirely from the public service. 469

April 8, Downing St. Draft of a letter to Gore. (No. 8.) Despatches received. Will transmit by the next packet the opinion of His Majesty's law servants upon the case of Grande Isle. Mr. Justice Powell's appointment as a councillor approved. Will recommend the Treasury to direct the agent of the province to pay to Mr. Boulton the portion of the salary attached to the office of Attorney General remaining unappropriated. 380

No date. London. Thorpe to Cooke. Asking that Mr. Adams be authorized to pay his salary for the last half year. 442

No date. Memorial of William Bond to the Hon. George Canning, Secretary of State. Asks to be employed in Upper Canada upon the same terms as Messrs. Campbell and Grece are in Lower. Also for money to reimburse him for that expended in studying the agriculture of the colony, and to enable him to purchase utensils, &c., to carry on the culture of hemp. 471

Enclosed. Memorandum accompanying the memorial. 474

No date. Observations on the culture of hemp, propagation of the warren rabbit, &c., by a member of the Upper Canada Agricultural and Commercial Society. 473

1823. March 20, London. Memorial of Lt.-Col. Henry Bird, 16th Regiment, asking for compensation for land granted to his father at the mouth of the Detroit River, which was afterwards taken possession of by Government, together with the houses erected thereon by his father. 398

LIEUT.-GOVERNOR F. GORE AND MISCELLANEOUS.—1809.

Q. 312—I.

Gore to Castlereagh. (No. 26.) Has directed Colonel Claus to draw on Messrs. Coutts for £250 on account of the dividends due to the Six Nation Indians. Page 2

Same to same. (No. 27.) His anxiety to promote the culture of hemp must be his excuse for requesting attention to his letter of 5th April last, accompanied by an address of the House of Assembly and his answer. Fears they may not have been received, therefore transmits copies. The money voted by the Legislature falls far short of what is required. An agent in each district authorized to purchase all hemp, the produce of Upper Canada, would be the most direct way of bringing this article into general cultivation. Mills in each district for breaking and scutching would save much manual labour. At first there would be many difficulties to contend with, but he is confident that after a few years the result would be such that a considerable supply might be sent to the British market. 4

Enclosed. Letter, dated 5th April, 1808, same to same. Respecting the cultivation of hemp and transmitting address from the Assembly with his (Gore's) answer. 8

The address. 11

Answer. 13

Gore to Castlereagh. Enclosing abstract from the Auditor's docket book of grants of land from 1st January to 31st December, 1808. 15

ABSTRACT from the Auditor's Docket Book of Grants of Land in Upper Canada which have passed the Great Seal of this Province, between the 1st of January and 31st December, 1808.

Counties.	Number of Grants.	District.	Number of Acres.	Total Number of Grants.	Total No. of acres Granted.
York	229	Home.	49,816⅔	229	49,816⅔
Durham	12	Newcastle.	2,500	44	8,580
Northumberland	32		6,080		
Lincoln	30	Niagara.	8,325	30	8,325
Glengarry	16	Eastern.	3,438	91	18,292
Dundas	22		6,216		
Prescott	8		1,550		
Russell	13		2,600		
Stormont	32		4,488		
Grenville	79	Johnstown.	16,210	171	34,245
Carleton	20		4,000		
Leeds	72		14,035		
Essex	57	Western.	7,904	80	13,434
Kent	23		5,530		
Middle	4	London.	1,900	32	8,600
Norfolk	14		3,300		
Oxford	14		3,400		
Frontenac	68	Midland.	13,757⅓	180	38,944⅓
Hastings	23		4,410		
Lennox and Addington	71		15,215		
Prince Edward	18		5,112		
		Total Grants		857	179,786⅔

Errors excepted.

P. SELBY,
Auditor General.

1809.
March 1, York. Gore to Castlereagh. (No. 28.) Captain Joseph Brant, princ of the Mohawks, died on the 27th November, 1807, leaving a w children unprovided for. He had been in receipt of a captain' and a pension of 5s. a day. Encloses letter from E. B. Littl hopes Mrs. Brant's case will be considered. She has much infl the Five Nations who would be much gratified by any liberali to her.

Enclosed. Littlehales, Simcoe's Secretary, to Brant, (priv 2nd January, 1796, giving the following extract from a letter ester's to Simcoe: "Should any accident happen to Capt. Bra no doubt of his wife getting a handsome pension, at least I c for it as far as may depend on my influence and exertions."

March 14, York. Same to same. (No. 29.) The Legislature of this province n 2nd of February. Encloses copies of speeches.

Enclosed. Speech delivered by Gore to the two Houses on th of the Legislature.

Address in answer from the Council.

Ditto from the Assembly.

Speech delivered by Gore on the prorogation which took pl 9th March.

March 20, York. Gore to Castlereagh. (No. 30.) When he came to the pro Legislative Council consisted of nine members, since then two one vacated his seat, and a fourth is too old and infirm to att Council has often the unpopular task of resisting inexpedient brought forward by the Assembly and forms a useful count the rashness of the latter body. Recommends Wm. Dumm Thomas Talbot and William Claus to fill the vacancies.

March 21, York. Same to same. (No. 31.) Asks permission to increase t James Givins, Agent for Indians at this place, to 10s. a reasons.

March 31, London. Lord Selkirk to Gore. Asking for some explanations of the the Executive Council on his (Selkirk's) memorial.

(In Gore's No. 33 of 19th July.)

April 20, York. Gore to Cooke. (Private.) Respecting the public accounts. doubt but that the difficulty with the Americans will be am tled. When that happens, hopes that the mode of grantin Upper Canada may be changed.

Enclosed. List of the only authorities under which public m Upper Canada are paid.

May 2. Wm. P. Bennett, Captain 6th U.S. Infantry, to Henry Arnold that Capt. Holmes is in no way implicated in the shooting of ter, Underhill. The sergeant was under his (Bennett's) ord proud they were executed with so much spirit. The man was ject of Great Britain, and he does not understand why he shou tected. If Capt. Holmes's case is considered calmly, is quit men will be discharged.

(No. 1 in Gore's No. 32 of 1st July.)

May 2. Capt. Bennett to Jesse Purdy. As he fears the affair of yest injure Capt. Holmes in his opinion, states that he (Holmes) wa of the attempt to take Underhill. Considers he was quite trying to get possession of the deserter, but gave his sergeant to injure any inhabitant.

(No. 3 in Gore's No. 32 of 1st July.)

May 3, Elizabeth-town. Henry Arnold to Capt. Bennett. His letter of the 2nd inst the style of which would have been astonishing had he not been informed that it was under his (Bennett's) orders that cious crime was committed. Whether Underhill was a subj Majesty or not is quite out of the question, he was within the

1809.

and therefore under the protection of the law. If he (Capt. Bennett) or his petty officer can be taken in the province, adequate punishment will certainly be inflicted, notwithstanding his pretended military authority. Page 60

(No. 2 in Gore's No. 32 of 1st July.)

3, abeth- n. Corner's inquest on the body on Isaac D. Underhill. 80

(No. 9 in Gore's No. 32 of 1st July.)

6, abeth- n. Elizabethtown. Daniel Jones, J.P., Thomas Sherwood, J.P., and Henry Arnold, J.P., to the magistrates of the County of St. Lawrence and State of New York. Isaac D. Underhill was murdered here on the 1st inst.; the persons accused are Sergt. John Graves and two privates, acting under orders given by their Captain, Wm. P. Bennett. As they have violated the laws of Canada, ask that the accused, namely, Capt. Bennett, Sergeant Graves, and the two privates be given up. Will give no particulars of the outrage, as they are probably known. 74

(No. 7 in Gore's No. 32 of 1st July.)

9, Gore to Castlereagh. Transmitting a continuation of the minutes of the Executive Council of Upper Canada on State matters, from the 12th July to 10th December, 1808, and on land matters, from the 5th January to 27th December, 1808. 54

10, ensburgh. Nathan Ford and Louis Hasbrouck, magistrates of the County of St. Lawrence to the magistrates of Elizabethtown. In answer to letter of 6th inst., state that those accused of the murder of Underhill are now at their station at Sackett's Harbour, and consequently out of their jurisdiction. Regret the occurrence and hope it may not disturb the good understanding existing between the two countries. Redress can only be had by applying to the Government. 77

(No. 8 in Gore's No. 32 of 1st July.)

16. Memorial of the magistrates of the District of Johnstown, assembled in Quarter Sessions, to Lt.-Gov. Gore. Consider it their duty to lay the case of Underhill before him, and ask that steps be taken to bring the accused to justice. 84

(No. 10 in Gore's No. 32 of 1st July.)

17, Gore to the Hon. David Montague Erskine. By the enclosed documents, Nos. 1 to 10, it will be seen that some American soldiers seized one of their own deserters while residing near Cornwall, without any authority from the civil power, and that while carrying him away he attempted to escape, and was fired upon and killed. Asks that the persons accused of the murder be delivered up. It would be an advantage to both countries if some arrangement could be adopted for the mutual giving up of deserters. 86

(No. 11 in Gore's No. 32 of 1st July.)

1, Same to Castlereagh. Transmitting memorial of the magistrates of the District of Johnstown, accompanied by several documents relative to the murder of Isaac D. Underhill, by a sergeant and two privates of the American army. Has forwarded copies of the enclosed papers to His Majesty's Minister at Washington. Also encloses copy of his letter to Mr. Erskine. 55

(Enclosures calendared at their respective dates.)

18, Same to Selkirk. Letter of the 31st March received. Regrets extremely that anything contained in the report of the Executive Council should have created any prejudice against him (Selkirk). 97

19, Same to Castlereagh. (No. 33.) Enclosing copy of letter from Lord Selkirk with his (Gore's) answer thereto. 89

(Enclosures calendared at their respective dates.)

20, Same to same. (No. 34.) Had recommended in despatch No. 30 that Wm. Dummer Powell, Thomas Talbot, and William Claus be appointed

1809.

to the Legislative Council. Urging the necessity of filling the vacancies before the meeting of the Legislature early in February next. Page 100

August 10, York. Wm. Dummer Powell to Gore. A second season being about to close with no prospect of Thorpe's situation being filled, asks that he be allowed half the salary of the vacant judgeship as he has an undue amount of labour and responsibility. 118

(In Gore's No. 36 of 1st September.)

August 23, York. Gore to Castlereagh. (No. 35.) Enclosing petition from Mr. Jarvis, Secretary of this province, and the report of the Executive Council thereon. Recommends that consideration be given to the memorial. 101

Enclosed. The memorial, dated York, 25th May, 1809, states that he is out of pocket through his appointment, and asking for relief. 104

Report of the Executive Council on the memorial, dated 7th August, 1809. 107

September 1, York. Gore to Castlereagh. (No. 36.) Enclosing an application from Mr. Justice Powell for half Mr. Thorpe's salary for the year ending 1st July last. Has received great assistance from Powell. 117

(Enclosure calendared at its proper date.)

September 2, York. Same to same. (No. 37.) Enclosing memorial of Thomas Ridout, joint acting Surveyor General of this province. Recommends the petition being granted. 120

Enclosed. Memorial of Thomas Ridout, stating that he had been put to much expense through the seat of Government being moved from Niagara to York, and asking for a grant of land. 121

September 4, York. Gore to Castlereagh. (No. 38.) Governor Craig transmitted a copy of his (Castlereagh's) despatch of 8th April last, with copies of some correspondence from Upper Canada, principally from Mr. Norton, upon the desire of the Five Nation Indians for alteration in the tenure of the lands set apart by General Haldimand for their use, and that of their posterity, and stating that an opinion prevails in England that they might be civilized; to that end it is proposed that they be allowed to lease or alienate their lands, and that Mr. Norton be employed in carrying into effect any measures proposed for improving these Indians. Enters at length into the different points. 123

Enclosed. Papers relating to the subject. 137, 145, 148.

September 8, Downing St. Draft of a letter to Gore. (No. 10.) Despatches numbered from 26 to 31 received and laid before the King. Messrs. Coutts have been authorized to accept Col. Claus's bills to the extent of the interest on the sum vested in the funds for the benefit of the Indians. His (Gore's) representation concerning the culture of hemp is before the Committee of Council for Trade and Plantations. His Majesty approves of the pension enjoyed by the late Joseph Brant being continued to his widow. The proper warrants will be prepared appointing Messrs. Powell, Talbot and Claus to the Council. No increase at present to be allowed Mr. Givens. 38

September 8, Downing St. Draft of a letter to Gore. (No. 9.) The sixteen Acts, No. 156 to No. 171 inclusive, which passed the Provincial Legislature of Upper Canada in February, 1808, have been submitted to the consideration of the Privy Council and do not appear liable to any objection. 150

September 26, York. Gore to Castlereagh. (No. 39.) Has been much surprised to learn by the English newspapers that notice has been given in the House of Commons by a Mr. Pt Moore of an intended motion to be made by him relative to his (Gore's) conduct as Lieutenant-Governor of Upper Canada, and stating in his notice that discontent had prevailed in this province owing to his misconduct and oppression. It is true that Thorpe, Wyatt, and others attempted with some success to create discontent in Upper Canada. Refers him to the letters specified in the enclosure marked A which show the opposition offered to Government by these persons. Since Mr. Thorpe's departure things have become perfectly tranquil once

more. If credit is to be given to the addresses of the House of Assembly in 1808 (enclosure B) and in 1809 (enclosure C) as well as to the testimony of the Chief Justice, who has just returned from visiting five out of the eight districts (enclosure D) the inhabitants are in general contented with the Government under which they live. Is unable to transmit Justice Powell's report, as he has not yet returned from the other three districts. In case he may be accused of not having sufficiently attended to the interests of the Loyalists refers him to his proclamation respecting them (enclosure E). If perhaps the attack against him may be caused by the recent removal of Thorpe, Wyatt, Willcocks and Rogers from office, gives a short account of the reasons for such removals. Page 151

Enclosures: papers marked. A 155, B 156, C 159, D 162, E 164.

Gore to Castlereagh. (Separate.) In case Mr. Moore's intended motion in the House of Commons should have reference to Mr. Wyatt, transmits another copy of the report of the Executive Council with several documents on the complaint of Ralph Clinch, agent to the late Sergeant Young. Sends this letter by Mr. Thomas Ridout, joint acting Surveyor General, on leave, who will be able to give all information relative to land grants. 168

Enclosed. Report of the Executive Council on the complaint against Wyatt. 170

Complaint of Ralph Clinch, dated 7th November, 1807, against Wyatt. 186

Papers relating to the charge. 193 to 231

Wm. Dummer Powell to Gore. Observations made during his late circuit, on the actual state of the colony. 234

Gore to Castlereagh. (No. 40.) Transmitting a report from Mr. Justice Thorpe, Judge of the Assize, just returned from circuit. 233

Examination of Francis Davis in the case of the murder of Isaac D. Underhill. 64

Ditto of Robert Hugenon. 66

Ditto of Rebecca Elliott. 70

Ditto of Jonathan Fulford. 71

(Numbers 4, 5 and 6 in Gore's No. 32 of 1st July.)

LIEUT.-GOVERNOR F. GORE AND MISCELLANEOUS—1809.

Q. 312--II.

Draft of a letter to Gore. (No. 1.) The papers enclosed in letter of 6th October last, relating to the decision of the Court of Upper Canada in the case of Rogers, having been referred to the consideration of His Majesty's Attorney and Solicitor General, he transmits copy of their report, dated 15th inst. Page 282

William Dummer Powell to Adam Gordon. Enclosing memorial addressed to Lord Castlereagh, asking that as he has been acting as sole puisne judge, and his duties have been considerably increased since the removal of Thorpe, he may be allowed half the salary of the vacant office. 357

Enclosed. The memorial. 358

Thomas Coutts & Co. to Edward Cooke. Asking if they may accept a bill for £92 10s., drawn upon them by Col. Claus, on account of interest arising from the Six Nation money funded in the 3 per cents. 360

Thomas Forsyth (Messrs. McKenzie & Forsyth) to Castlereagh. Is requested by some friends of his in Canada to represent him (Castlereagh) that they had some time ago presented a memorial to Governor Gore, concerning their claim to some lands acquired by purchase

1809.

in Upper Canada, which memorial was transmitted for His Majesty's decision, not yet received. Asks that instructions be sent to the Governor of Upper Canada to enable him to give a decision. Page 361

April 21. Order in Council appointing Wm. Dummer Powell an ordinary member of the Executive Council of Upper Canada. 365

May 9, Admiralty. R. Ward to Cooke. Enclosing a memorial from Michel Alphonse Baliol. 365

Enclosed. The memorial. (French.) 366

May 17, Treasury. Harrison to Cooke. Respecting the Indian store accounts Upper Canada. 368

July 21, Treasury. Charles Arbuthnot to same. Transmitting the public accounts for Upper Canada and vouchers in support of the same, for the half year ending 31st December, 1808, for Lord Castlereagh's observations thereon. 370

August 10, York. Wm. Dummer Powell to Adam Gordon. Asking that he use his influence to further his (Powell's) claim to half the salary of the non-efficient judge. 372

August 17, Treasury. Charles Arbuthnot to Cook. Transmitting letters from Mr. C. R. Wyatt on the subject of the losses sustained by him in consequence of his suspension from office as Surveyor General of Upper Canada. 371

September 4, Camdon Town. Charlotte de la Garde (née Von Behm) to same. Asking that a favourable answer be given to the memorial presented by her husband some time ago. 374

September 11, York. Wm. Jarvis to John Brickwood. As Secretary to the province, it has fallen to his share to perfect the patents for lands to the Loyalists, and has in that service incurred heavy liabilities (about £1,500 in ten years) for the parchment, wax, stationery, &c., asks that he (Brickwood) use his influence to have him reimbursed. 376

October 6, York. Gore to Castlereagh. (No. 41.) The opinions of the law officers of the Crown and the judges of the Court of King's Bench in this province are often so much at variance that he does not know on whose opinion to rely. Transmits documents relating to the case of the King *vs.* David McGregor Rogers as an instance, and asks for the opinion of the Attorney and Solicitor General in England on this case. 240

Enclosed. Documents relating thereto. 242 to 251

October 14, York. Same to Edward Cooke. (Private.) Respecting the motion to be made by Mr. Peter Moore at the ensuing session, with the view of censuring his conduct as Lieutenant-Governor of Upper Canada. 253

October 21, York. Same to Castlereagh. (No. 42.) Despatch of 21st June received. The statement called for of the tenure duties and emoluments of the several officers in Upper Canada is herewith transmitted. Also transmits (as far as they have been received) the several statements signed by the respective officers of their salaries and emoluments. Despatches sent to Canada by way of Halifax and Quebec, are generally from four to seven, and sometimes eight months on their passage, while those by way of New York reach this place usually in about two. 291

Enclosed. Statements. 293 to 325

November 1, Kingston. Rev. John Stuart to Major Halton, Secretary to Lieut.-Gov. Gore. Enclosing statement of the tenure duties and emoluments of his office. He receives half pay as a reduced chaplain, and is also a missionary of the Society for the Propagation of the Gospel, for which he receives £50 a year; as he does not consider these allowances absolutely connected with his office as parochial clergyman at Kingston, he has not included them in his statement. 326

Enclosed statement. 328

November 3, York. Wm. Bond to the Solicitor General, giving particulars of the proceedings of certain "dangerous persons" (Thorpe, Wyatt, and Jos.

Willcocks) who are endeavouring to sow the seeds of sedition and rebellion in Canada. Page 333

(In Gore's No. 43 of 14th November.)

er 14, Gore to Castlereagh. (No. 43.) Enclosing a letter to the Solicitor General from Mr. Bond, of so extraordinary a nature that he should consider himself wanting in duty did he withhold it. 332

(Enclosure calendared at its proper date.)

er 15, Same to same. (No. 44.) Has been applied to by Wm. Claus in behalf of the Five Nation Indians, whose property amounting to upwards of £8,000 was sent home some years ago to the banking house of Messrs. Coutts to be invested in the 3 per cents. He (Claus) had only drawn for £277-15-6½ last year, and this for £400. Asks that such orders be given that the bankers in future may state explicitly what sum may annually be drawn for. 344

er 21, Same to same. (No. 45.) Sending duplicates of the statements of the tenures, duties and emoluments of the several officers in Upper Canada. Encloses also five returns received since his despatch of 21st October. 326

(The returns are all enclosed with the originals from page 293 to 325.)

er 23, Same to same. (No. 46.) Transmits a report of the Executive Council respecting an intended road in the Western District. The great necessity of opening up roads in a country so thinly populated as Upper Canada, has induced the Legislature from time to time to grant sums of money for the purpose out of its slender revenue, but as these means fell far short of what was required other measures were adopted. Two great roads, Young and Dundas streets, have been opened by granting lots on each side of these roads on condition that the grantees should make and maintain the portion opposite their respective settlements. A similar plan is recommended for the Western District by the Executive Council, and nothing prevents the plan being brought into operation at once, but the Crown and Clergy Reserves, which, must be removed from the proposed lines of communication. Should His Majesty give directions for the proposed change, as per diagram transmitted, he (Gore) will next turn his attention to the disposing of the tract set apart for public schools in the way best calculated to fulfil His Majesty's intentions. 347

Enclosed. Report of the Executive Council. 351

er 24, Col. J. A. Vesey, Deputy Barrackmaster in Canada, to Lt.-Col. Bunbury, Under Secretary of State. In the year 1805, a grant of 5,000 acres was issued in his favour, but the expense has hitherto prevented his taking out the patents. Asks that the said grant may be issued to him free of fee. 380

Enclosed. Letter dated 22nd June, 1805, from Lord Camden to Lt.-General Hunter, respecting the grant to Col. Vesey. 382

er 28, Harrison to the Hon. Cecil Jenkinson. Transmitting letter from Gore enclosing requisitions for stationery for the year 1810, for Lord Liverpool's opinion thereon. 384

er 28, Same to same. Transmitting letter from Gore enclosing abstracts of warrants issued by him on the late Receiver General of Upper Canada. 385

LIEUT.-GOVERNOR F. GORE AND MISCELLANEOUS—1810.

Q. 313—I.

Gore to Castlereagh. (No. 47.) Acknowledging circular letters of 12th May and 21st and 26th June, 1809. Page 2

1810.
February 1, York. Same to same. (Duplicate.) The notice by Mr. Peter Moore of an intended motion in the House of Commons to enquire into abuses in the administration of the Government in Upper Canada, appearing to be founded on a libel published in the name of Mr. Jackson and entitled "A view of the political situation of the Province of Upper Canada in 1808," it seems incumbent upon him (Gore) to furnish evidence to give a direct contradiction to the motion. Hopes the enclosed will be sufficient to do so. Refers him to former despatches respecting Thorpe and Wyatt. Remarks on the case of these gentlemen. Page 3

Enclosed. Brief notices of a "View of the Political situation of Upper Canada in 1808," with reference to documents to show the misrepresentations of the author. 9 to 47

Enclosed. Papers referred to in the foregoing. 48 to 198

February 6, York. Gore to Castlereagh. (No. 48.) Enclosing the annual establishment of the Indian Department and requisitions for Indian presents and stationery for the year 1810. Also a requisition to be substituted for the ordinary requisition for presents in case of war. Great need of a surgeon at Amherstburg to attend the sick Indians; the garrison mate might be given 5 shillings a day to attend all cases. Attention to their sick has as great an effect on their minds as the presents given. Asks that permission may be given to place Wm. J. Chew, storekeeper and clerk of the Indian Department at Fort George, on the pension list, as his mind has given way, principally through family misfortunes. 199

Enclosed. Proposed establishment of the Indian Department for 1810. 202

List of temporary appointments and pensions in the Indian Department for 1810. 203

Requisition for Indian presents for Upper Canada. 204

Ditto for an extra quantity required in case of war. 208

Requisitions for stationery for Upper Canada. 212, 214, 216, 218, 220

February 7, York. Gore to Castlereagh. (No. 49.) The Legislature met on the 1st inst. for the despatch of business. Encloses speeches on the occasion. 222

Enclosed. Speech by Gore to both Houses, on the opening of Parliament. 223

Address from the House of Assembly in answer to the above. 225

Ditto from the Legislative Council. 228

March 1, York. Gore to Castlereagh. (No. 50.) Since the half pay of reduced officers of the Provincial forces, settled in this province, has been paid by the Deputy Postmaster General, a regulation has been acted upon by which no person holding any provincial office is allowed to draw half pay. This has a very bad effect on the Colony from the transfer of the offices of district judges, sheriffs, coroners, clerks of the peace, registrars, &c., from tried and faithful subjects to new settlers. These emoluments are less than the half pay of many of these officers who will be compelled to resign and will thereby be greatly distressed. 230

March 10, York. Same to same. (No. 51.) Enclosing unanimous addresses of the two Houses on the occasion of the King entering the fiftieth year of his reign. Also the proclamation of the Governor of Lower Canada announcing a general pardon; as this seemed to call for a similar one from him (Gore) and having doubts of the propriety as well as the legality of so full a pardon, he called upon the Executive Council for their advice, who unanimously agreed that it would be more respectful to wait His Majesty's commands. 233

Enclosed. Addresses. 235, 238

Proclamation. 240

Proceedings of the Executive Council. 243

March 11, *York.* Gore to Castlereagh. Mr. Jackson's pamphlet carried with it such evident condemnation that he would have allowed it to pass unnoticed

had not the motion of Mr. P. Moore in the House induced him (Castlereagh) to express a wish to be furnished with the means of refuting its misrepresentations, documents for which purpose were forwarded without delay. With this despatch transmits copy of the unanimous vote of the House of Assembly as follows:—"Resolving that the pamphlet entitled 'A View of the Province of Upper Canada,' signed John Miles Jackson, contains a false, scandalous and seditious libel, comprising expressions of the most unexampled insolence and contumely towards His Majesty's Government of the Province, the grossest aspersions upon the House of Assembly, the Courts of Justice therein, and the officers of the Civil Establishment of the said Government, and most manifestly tending to alienate the affections of the people from His Majesty's Government of this Province, to withdraw them from their obedience to the laws of the country, and to excite them to insurrection." Page 245

Enclosed. The vote of the House. 247

2. Same to same. (No. 53.) Has this day prorogued the Legislature. Encloses copies of the speeches on the occasion. 248

Enclosed. Speech on prorogation. 249

Speech from the House of Assembly. 252

1. Gore to Castlereagh. Enclosing abstract from the Auditor's Docket Books of grants of land between 1st January and 31st December, 1809. 255

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada which have passed the Great Seal of the Province between the 1st January and 31st December, 1809.

Counties.	Number of Grants.	District.	Number of Acres.	Total Number of Grants.	Total No. of Acres Granted.
York	98	Home	21,532	98	21,532
Durham	6	Newcastle.	2,309	34	9,257
Northumberland	28		6,948		
Lincoln	46	Niagara	9,272½	46	9,272½
Glengarry	18	Eastern.	2,130	79	16,250
Dundas	4		2,810		
Prescott	4		2,050		
Russell	29		5,800		
Stormont	24		2,460		
Grenville	15	Johnstown.	1,948	118	22,878
Carleton	45		9,100		
Leeds	58		11,830		
Essex	13	Western.	2,405	26	4,811
Kent	3		2,406		
Middlesex	9	London.	2,700	26	6,976
Norfolk	8		1,626		
Oxford	9		2,650		
Frontenac	46	Midland.	8,182 3/10	79	14,648 3/10
Hastings	16		3,960		
Lennox and Addington	9		1,258		
Prince Edward	8		1,248		
			Total	506	105,624 3/10

P. SELBY,
Auditor General.

1810.
April 21, York. Gore to Liverpool. (No. 1.) Having been directed by Lord Castlereagh to grant Mr. Wm. Bond 12,000 acres of land, and to afford that gentleman every assistance in his power to bring to perfection the culture of hemp in this province, he states that after a search of many months Mr. Bond was unable to find land fitted for his purpose without purchasing, but lest the season for sowing should pass without anything being done, has issued a warrant on the Receiver General for £200 to assist Mr. Bond in some experiments he intends to make on some waste lands in the Western District. Page 258

April 23, York. Same to same. (No. 2.) Transmitting a representation from the magistrates of the District of Niagara, in favour of a Mr. Warren. Although His Majesty has been pleased to remove Mr. Justice Thorpe from the province, Mr. Warren's case calls no less for the intervention of the Crown, more particularly as his zeal was exerted to protect foreign property wrecked on our shores. Mr. Justice Powell has stated that when he discharged Hawn for the irregularity of the commitment, the law compelled him to do an injustice, as he merited a capital punishment instead of imprisonment. Asks that the representation of the magistrates be favourably considered, and that he be authorized to pay the damages and expenses incurred by Mr. Warren on the case referred to. 260

(The enclosure "A Report of the Magistrates of the District of Niagara respecting the wreck of an American vessel," given to Governor Gore in original the 12th April, 1810.)

May 4, York. Gore to Liverpool. (No. 3.) Enclosing report of a Committee of the Executive Council as a board of audit for accounts on certain changes in the account of the Attorney General of this Province. The articles suspended by that Board are: 1st. Certain warrants of returning officers for elections, and 2nd, Certain commissions which have passed the great seal of this Province (not for places of emolument or profit) viz.: Commissioners of Assize, *nisi prius* Oyer and Terminer and General Jail Delivery, and also proclamations. Previous to the year 1802, the Auditor General of Upper Canada was authorized to receive like fees to those received by the Auditor General of the Lower Province, according to the table enclosed. Even after the Order in Council of 1802, the Attorney General continued to receive his fees, as well as the Lieut.-Governor and Secretary of the Province, and he (Gore) considers that order did not extend further than regulating the Attorney's fees in criminal and civil suits. Encloses table adopted by Governor Simcoe, in 1793, but mentioned by the Board of Audit as being of doubtful authority. Usage, however, has sanctioned its adoption. Has directed that his (Gore's) own account should be withdrawn, as he considers it due to his situation that he should receive no fees about which a shadow of doubt can arise. Advises that such fees as are sanctioned by usage be made lawful until a complete table shall be made out. The unpleasant situation of the Lt.-Governors respecting fees. Asks for commands relative to the allowance of the fees now for the first time suspended by the Board of Audit, as the Attorney General considers himself aggrieved by such suspension. 263

Enclosed. Report. 269 to 275

Items suspended in former accounts. 276

Attorney General's account for the half year ending December 31st, 1809. 291

Copy of the proceedings in Council on 30th Dec., 1802, respecting the Attorney General's fees. 287

Extract from the proceedings of Lieut.-Gov. Simcoe in Council on 12th July, 1793, with a copy of the Nova Scotia fee tables. 292

Gore to Liverpool. Transmitting copies of thirteen Acts to which he gave the Royal assent at the close of the second session of the Fifth Provincial Parliament, with schedule. Also copies of Journals of the Legislative Council and House of Assembly for the same session. Page 297

P. Langan to Gore. Respecting his claim to Grande Isle. 299
(In Gore's No. 4 of 28th July.)

Gore to Liverpool. (No. 4.) Having been notified by Lord Castlereagh in answer to his despatch, No. 18, that the opinion of the Attorney and Solicitor General should be transmitted to him (Gore) on the claim of the Baroness of Longueuil and Patrick Langan to the Grand Isle, he asks that the opinion be forwarded as soon as possible. Encloses letter lately received from Langan. 298
(Enclosures calendared at their respective dates.

LIEUT.-GOVERNOR F. GORE AND MISCELLANEOUS—1810.

Q. 313—II.

r 26, N. Le Favre, late of Dublin, lottery office keeper, to Mr. Justice Thorpe. Had written him at Niagara and previously handed $250 to Mr. Clinch to be given to him (Thorpe.) Has no doubt, but both have been delivered. Asks from what part of England Governor Gore comes and his connections, that he may know to whom to apply for a letter to him. Asks that his son-in-law's name (Wm. Donohue) be put in his place for receiving lands. Owes more to the candour of Col. Claus than to all the parties he had previously communicated with. Asks for the continuance of his (Thorpe's) confidence. Page 489
(In Gore's of 9th August.)

r 24, Samuel Thompson to Justice Thorpe. Is laid up from the effect of the journey from York. Thinks he is being made too much the butt of the party and after the election Mr. Willcocks must get some one else in his place. Mr. Addison afraid of the risk. Is astonished to hear Mr. Gough is taking such an active part in the electioneering, but the freeholders must know his choice cannot be good, as he expended $200 last election in opposing their candidate. Thinks, instead of keeping the taverns open, something to eat and drink might be kept in some convenient place. Has too good an opinion of the freeholders of the country to think they would sell their votes for a glass of grog. Capt. Brant, Mr. Jones, and several others from the head of the lake will be at York. Hopes for the good of the country that he (Thorpe) will be elected. 442

Endorsed. "An intimate connection between the writer, the Rev-"erend Robert Addison, Mr. Justice Thorpe, the Indian Brant and the "future Editor of the *Guardian* newspaper recommending economy at "the election."
(In Gore's of 9th August.)

C. B. Wyatt to Robert Thorpe. Projecting a charge against the astle. administration of Government in Upper Canada, of exercising arbitrary power, sacrificing the beneficent promises of the Sovereign, misapplying grants of land and stores, abuses in the Indian Department, dissatisfaction of the Five Nations, infringement upon the freedom of election, &c. 428
(In Gore's of 9th August.)

Rev. Robert Addison to Mrs. Thorpe. Promising to assist the undertaking of Mr. Joseph Willcocks. 325
(In Gore's of 9th August.)

Samuel Thompson to Robert Thorpe. Accident met with by Robert ——, who fell and broke a small bone in his arm. Capt. Brant tells him the Dutchmen are gone up the lake with the money, he (Brant) expects them soon with Mr. Jones, and hopes he (Thorpe) will get assistance then in the money way. Mr. Justice Powell gone to Madrid. Hears John Powell is to have an appointment here. Sends papers and letters. Sees by an Albany paper that the Parliament is dissolved, but it will not appear in any other. Page 436

This letter is endorsed as follows: "A money negotiation was then "subsisting between Thompson and Mr. Thorpe and the Indian Brant, "agent of the Five Nations and so accounting for the warmth of the "party to get rid of the controlling authority of the Deputy Superin- "tendent General of Indian Affairs (Col. Claus)."

(In Gore's of 9th August.)

Joseph Willcocks to Messrs. J. and D. Cozens, New York. Announcing the first number of his paper. Expressing his sentiments on the recent affair of the Chesapeake, connecting that affair with the circulation of his paper (the Upper Canada *Guardian* or *Freeman's Journal*) and betraying his predilection for the Government of the United States and enmity to this Government. 328

(In Gore's of 9th August.)

Enclosed. Copy of a file of Upper Canada Guardians. 331 to 426

(In Gore's of 9th August.)

C. B. Wyatt to Rev. Robert Addison. Has been informed that the chaplaincy of Niagara is at last settled in his (Addison's) favour. As to his own affairs, considers himself badly used, as the Treasury Board has appointed some one else to his situation and he is to get an equivalent somewhere else. Does not complain of the Treasury, but of the Colonial Office where Gore's friends are. Believes every one in Upper Canada is alarmed; great anxiety felt on this side the water to hear how things go on there, particularly to know what was done by the new Provincial Government. Sees that there is a serious schism in Lower Canada between the Government and the Legislature and a notice has been given in the British House of Commons of a motion to investigate the affairs of the Canadas in consequence of Mr. Jackson's pamphlet. Mr. Wardle has also touched on the subject; therefore supposes an investigation is likely to take place and trusts punishment will fall on those who deserve it. Remembrances to all his friends. 456

Endorsed. "Complaining of injustice at the Colonial Office and of "want of intelligence from Upper Canada, attributing the general "silence to fear. Adverting to the dissentions in Lower Canada and "connecting all with Mr. Jackson's pamphlet, Mr. Peter Moore's motion "and Mr. Wardle's pursuit of investigation."

(In Gore's of 9th August.)

John Mills Jackson to Joseph Willcocks. Hopes his two last letters and some pamphlets have been received. In case they have miscarried repeats what he said before, viz.: That he prepared a statement of the political situation of Upper Canada, printed last January, many circulated, some were sent to the Lords, and one to Mr. Percival, when a notice was given of a motion to be brought before the Commons at the next session relative to the situation of Upper Canada, and the abuses of the British Constitution in that Colony, which from what he can learn are daily increasing. Has exerted himself to procure an investigation and has so far succeeded as to have induced a member of Parliament to take up the cause of the Canadians in the upper country, and hopes that in the end the Ministry may be induced to change the Lieut.-Governor, as well as the majority of the Executive Council. Asks for a true copy of the proceedings of that body, also letters from some principal inhabi-

tants giving an impartial view of the present state of the Colony, and their opinion of what must be the result of the present system. Has already many documents and letters including the correspondence of Brant and Norton with Mr. Wilberforce. Mr. Owen and Sir Evan Nepean and some Indian speeches. If Mr. Moore succeeds in his endeavour to effect a change in Upper Canada by his application to the Imperial Parliament, he will deserve our gratitude, as the people should have much better treatment than they have experienced from the late and present Lieut.-Governors. Shall write to Capt. Dumont; had written on first arriving in the province, but supposes the letter miscarried. Is sorry not to have heard from him, as he would have given a faithful account of the state of the province. Understands the House is to meet in November, therefore any communications from Upper Canada must be received before that time and be sent by a trusty hand. Hopes to see him next summer, when he apprehends changes will have taken place. Has received a letter from his old friend Cheniquy, who wishes to resume his former situation and seems much to regret his having left his (Jackson's) service; he says: "McGill gave him handfulls of cash and promised him a great deal more if he would go on and persist in his evidence." According to Mr. Addison, it was his (Cheniquy's) evidence which put him (Willcocks) out of office. Asks to be informed in time for the investigation, of all the circumstances connected with the election in which Thorpe was a candidate. Wishes to know what goods it will be advisable to bring out, he intends to erect stills and a brewery at Springfield, and will take him (Willcocks) into a partnership. Page 460

Endorsed. "Soliciting grievances for Mr. Peter Moore. This letter "directed to the care of the Rev. Robert Addison." Endorsed and forwarded by Mr. Wyatt.

(In Gore's of 9th August.)

Gore to Castlereagh. Transmitting memorial of Thomas Ridout. Recommends the prayer. 525

Enclosed. Extract of despatch from Lieut.-Governor Hunter to Lord Hobart, dated York, Upper Canada, 5th January, 1803, ordering an increase to the salary of Thomas Ridout. 526

Thomas Ridout, joint acting Surveyor General of Upper Canada, to Hon. C. Jenkinson, Under Secretary of State. Respecting lands which he wishes to obtain in Upper Canada. 507

Enclosed. Extract from the minutes, dated York, 11th July, 1799, on the petition of Thomas Ridout. 510

Thorpe to Joseph Cheniquy. Will be in town soon and will call for breakfast on Sunday. Asks that he (Cheniquy) have as much information there for him as possible. Hopes Mr. C. Wyatt's conversation with Mr. Ridout has been useful. Has any news about Canada come? 445

Endorsed. "Soliciting information from Upper Canada, and calling for notes from Bingle (on Mr. Jackson's pamphlet) who had been a confidential clerk in Lieut.-Governor Gore's office and now engaged by Messrs. Jackson, Wyatt and Thorpe to betray his trust."

(In Gore's of 9th August.)

Memorial of Sarah Margaret Clarke, daughter of the late John Clarke, Capt. 59th Regiment, to the Earl of Liverpool. For an increased pension. 511

Enclosed. Recommendation of the above from the Duke of Kent. 514

Thorpe to Cheniquy. Thanks for the friendly communication. If he (Cheniquy) wishes to serve Mr. Dickson, he ought to advise him to avoid Mr. Henry Weekes, who is in Exeter. Has received a letter from Mr. Jackson, he is going to Canada immediately. Encloses two notes to be delivered in the hope of getting the Governor's commission without

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troubling Mr. Wyatt. Asks for Mr. Bingle's and his own notes on Mr. Jackson's pamphlet and that he calls on Sunday as he (Thorpe) has promised to finish the petition for Mr. Jackson by next week which he cannot do so without assistance. Hopes Mr. Wyatt is getting on well. Page 440

Endorsed. "The authors and promoters of J. M. Jackson's pamphlet "and petition and Mr. P. Moore's motion in the House of Assembly."

"Messrs. Wyatt and Thorpe and Mr. Justice Thorpe framing the petition for Mr. Jackson to be presented to Parliament."

February 22. F. Bingle to Cheniquy. Had called on Mr. Wyatt for the purpose of giving him (Cheniquy) a letter for Mr. Jackson, but not finding him in requests to know when he can be seen, as he wishes to call on Mr. Thorpe but does not know his residence. 449

Endorsed. "To introduce him to Mr. Thorpe having been at Mr. "Wyatt's with a letter for Mr. Jackson."

(In Gore's of 9th August.)

February 26. Cheniquy to Justice Thorpe. Acknowledging note of Sunday last. Though he promised to give his remarks on the pamphlet entitled "View of Upper Canada," now declines to do so, as he cannot approve of the whole work, and is conscious that his remarks would not be approved if he stated the true cause of the dissentions in Upper Canada. 452

(In Gore's of 9th August.)

February 27. Robert Thorpe to Cheniquy. Asks for the return of the pamphlet lent and if any remarks are to be made, that they be sent next day. Begs that in future he make no appointment unless he intends to keep it. 453

Endorsed. "Reproaching Cheniquy for withholding his remarks."

(In Gore's of 9th August.)

February 28. Cheniquy to Mr. Justice Thorpe. Has received his (Thorpe's) note of yesterday and will for the future take care not to enter into any engagement with him. Will correspond direct with Mr. Jackson, and observes that he will be neither forced nor bullied by reason of present circumstances into any measure he does not approve. Having promised to give information of Mr. William Dixon's movements, states that he arrived in London yesterday afternoon. 455

Endorsed. "Resenting a supposed attempt to take advantage of his distress to induce him (Cheniquy) to their measures."

(In Gore's of 9th August.)

February 28, York. Memorial of Richard Cartwright to Gore. Asks that a patent for the lands located for the late Captain Thomas Gummersal be issued to him in trust, as he is administrator of the estate, which is not sufficient to satisfy all just debts without disposing of part of these lands. 485

March 15, London. Memorial of Thomas Ridout, to the Right Honourable Spencer Percival. For further leave of absence. 516

Enclosed. Copy of leave. 517

March 15, Lincoln's Inn. The Attorney and Solicitor General to Liverpool. In reply to the letter from Gore transmitting papers for an opinion on a case, state that they consider that the Court acted legally in refusing a peremptory *mandamus* to Mr. Rogers to deliver up the Register books and papers in question to Mr. Ward. They consider that Mr. Roger's appointment was for life and cannot conceive that the Court ought by a *mandamus* to have directed the documents to be delivered up to an officer not appointed in the manner prescribed by law. 518

March 16, Kensington Palace. J. A. Vesey to Hon. Cecil Jenkinson. Asking that his grant of land be transferred from Upper to Lower Canada, on account of the immense fees upon all grants in the former. 520

March 22, Whitehall. W. D. Adams to ——— Willimot. Recommending the case of Miss Sarah Margaret Clarke. 522

1810.
rch. Joseph Cheniquy to Wm. Dixon. Mr. Moore and his friends have at last concluded to bring on the Upper Canada enquiry the moment the Walcheren business is disposed of, but cannot say when that will be. Yesterday Wyatt received a letter of the utmost importance to Jackson's cause from Mr. Addison, dated 11th January, it was communicated in confidence, therefore he cannot repeat it. A spirited answer to Lord Castlereagh's letter has been printed in the Upper Canada *Guardian*. If Gore is really guilty as accused, he should certainly be removed from office and punished. The report that he (Cheniquy) was going to England to assist the party formed to remove Mr. Gore is without foundation, as Mr. Gore must in common justice acknowledge. Mr. Wyatt wishes newspapers sent him. Asks for an advance of a few pounds. Thorpe has not "shown his face to the Sun for the twenty days past." Page 474

Endorsed. "Stating that the Cabal had settled, that Mr. P. Moore's "motion should be brought forward the moment the Walcheren business "was disposed of. Noticing the receipt by Mr. Wyatt, the preceding, "of a letter from the Rev. Robt. Addison of the utmost import to Mr. "Jackson's cause, the matter of which he could not put to paper, but "intimates that it related to an answer to the letter to Lord Castlereagh "in the Upper Canada *Guardian*, and accusations against Governor Gore, "which if true, ought to insure his immediate removal and punishment."
(In Gore's of 9th August.)

il 4,
sury. Arbuthonot to Hon. C. Jenkinson. For information on the enclosed memorial. Page 524

(No memorial enclosed.)

il 7,
thampton. John Mills Jackson to Joseph Cheniquy. Apprehends that the time draws near, that the united efforts of those friends to Upper Canada will prove beneficial to the inhabitants. Asks when his (Jackson's) brother intends to sail. Requests that he tell Bingle that he would be glad to hear from him and wishes to know his address. Is Mr. Dixon in London? 447

Endorsed. "To find out Bingle's new residence and to obtain the residue of his remarks."

il 10,
k. Wm. Firth, Attorney General of Upper Canada, to Liverpool. (Private.) Respecting several items in his contingent account suspended by the Board of Audit. 527

Enclosed. Papers relating to the above. 551, 555

il 13. Joseph Cheniquy to Wm. Dixon. Has communicated to Mr. Wyatt the result of last evening's conversation. Assisted by his intimate friends, Wyatt has written a letter to him (Dixon) which he hopes will be the base of a happy arrangement. Hopes the fact of his (Wyatt's) having abjured Mr. Thorpe as he did, will be mentioned to his Excellency. Thinks the best plan would be for Gore to appoint some friend in London to receive an apology from Wyatt. Any attempt Jackson may succeed in persuading Mr. Moore to make in Parliament will be opposed with success. Asks to have the amount for which he may draw on him specified. 472

Endorsed. "Explaining Mr. Wyatt's letter to Mr. Dickson to have "been composed with great attention by advice of Sir Richard Harding, "Major Palmer and his father-in-law, Mr. Rogers. That Mr. Wyatt's "abjuration of Mr. Thorpe, in presence of Mr. Dickson, should be favourable to Lt.-Governor Gore."
(In Gore's of 9th August.)

l 14. C. B. Wyatt to Wm. Dickson, Capt. Patton's agent for Transports, Portsmouth. Thanking him for his liberal conduct in offering to speak to Governor Gore on his behalf. Conveying his thanks to Gore for his honourable mention. Considers that an understanding might be come to without loss of dignity on either side and in future the respective

1810. departments might co-operate with advantage. Asking for a line f
him (Dixon) giving his opinion on the conciliatory measures alluded
founded on his knowledge of the amicable sentiments of Mr. G
towards him. Page

Endorsed. "Expressing his thanks to Lt.-Gov. Gore for his honour
"mention of him. Offering oblivion of the past and promising co-o
"ation in future, and inviting Mr. Dixon to declare his knowledge
"Gov. Gore's opinion of Mr. Wyatt was favourable."
(In Gore's of 9th August.)

April 19, Foley Place. C. B. Wyatt to Liverpool. Having been informed that some per
from Upper Canada have been circulating a printed anonymous le
addressed to Lord Castlereagh, in which his name is most calumnio
mentioned, takes this opportunity of saying a few words in his
defence.
(In his letter of 19th April, addressed to Lord Liverpool.)

April 19, Foley Place. Same to Hon. Cecil Jenkinson. Enclosing letter of 19th April
asking his kind offices in having it laid before Lord Liverpool.

May 1. Same to Rev. Robert Addison. Since writing, has been doing a
his power to obtain for him the Brigade Chaplaincy at Niagara, and
great hopes of success. Is sure many stories will be fabricated to
lead his friends in Upper Canada as to what is doing at home res
ing the provincial politics. Hopes no one will fancy him (Wy
changed, but wait till he is heard before the Privy Council when th
will appear in their true light. Does not know what either Dixo
Ridout are about. Has every confidence in his own innocence and in
justice of the Council. Asks him to let Willcocks know that the pa
sent by Dixon have never arrived.

Endorsed. "Cautioning his friends against giving any credit to rep
"which they might hear of a change in his sentiments (referring p
"ably to his and Cheniquy's letters to Mr. Dixon) and pledging him
"to act with the party, notwithstanding appearances to the contra
(In Gore's of 9th August.)

June 11, Montreal. Memorial of Patrick Langan and Marie Charles Joseph Lem
Baroness of Longueuil, widow of David Alexander Grant, to Gore, as
that their claim to Grande Isle be considered.
(In Gore's No. 4 of 28th July.)

August 9, York. Gore to Liverpool. The publication of the libellous pamphlet by
Jackson, entitled "A view of the political situation of Upper Cana
has induced him to notice it, from the fact that it was connected
Mr. Moore's motion in the House of Commons. His remarks on
subject were transmitted to Lord Castlereagh in his despatch of
February, 1810, wherein he stated that he was convinced the libel
ceeded from the pen of Mr. Thorpe, and that there then existed in
province, an organization of disaffected persons with Thorpe and Wy
at the head. His conviction was based on certain documents in
possession, and since then incontrovertible evidence has come into
hands. The object of this "cabal" will doubtless be declared by th
only to be the removal of the Lieut.-Governor, the judges and the
noxious members of the Executive Council. Transmits the evide
alluded to, as he would consider himself wanting in discretion di
withhold it.
Descriptive schedule of certain original papers connecting the me
of Mr. Peter Moore with the organization of disaffected persons in
Province, headed by Thorpe and Wyatt.

August 16. Report of the Committee of the Executive Council refusing the peti
of Honourable Richard Cartwright, as administrator of Capt. The
Gummersal's intestate estate.

1810.
ust 16, Harrison to Peel. Transmitting letter from Gore, dated 11th June, last, enclosing the public accounts of Upper Canada for the half year ending 31st December, 1809, for Lord Liverpool's observations thereon. Page 566

ust 23, Gore to Liverpool. Transmitting report from the Executive Council for the opinion of His Majesty's law servants. Having been misled on an important point by the Attorney and Solicitor General of the Province, has no longer confidence in their opinion in a matter of such weight. 483

ust 28, Same to same Has authorized Col. Claus, Deputy Superintendent General of Indian Affairs, to draw on Messrs. Coutts & Co., for £561 1s. 7d. being the amount of the dividends due to the Six Nations. If this sum should not prove correct, asks that directions be given Messrs. Coutts not to protest the bills. 492

mber 1. Wm. Dummer Powell to Adam Gordon. The evil arising from the appointment of judges and law officers not sufficiently well known in Downing Street will justify this communication. Mr. Boulton has been given leave of absence to go to England, it is apprehended with the object of soliciting the vacant seat on the Bench, the appointment of this gentleman would not meet with approbation, as it was understood when the court was first organized that the judges should be barristers of Westminster Hall, until our own Bar could furnish fit subjects, and hitherto there has been no exception to this rule. Asks that we have the goodness to second Gore's representation on this subject, so important to the Colony. 567

mber 10, Gore to Liverpool. Enclosing a memorial to the Treasury on the subject of fees and asking his (Liverpool's) support. 493

Enclosed. Memorial of Francis Gore. 496

Abstract of Lieut.-Governor Hunter's fees. 497*a*

Ditto of Lieut.-Governor Gore's. 497*b*

mber 10, Wm. Bond to John Small, Clerk of the Crown in Chancery. Enclosing a letter to Lord Bathurst and a certificate from the farmers in the neighbourhood and asking for a few words in his favour when next writing to Bathurst. 569

Enclosed. Bond to Bathurst, Delaware Township, London District, 10th September, 1810. His experiments in the culture of hemp will bring him ruin without some assistance from Government. He has been obliged to rent a farm, as the land he was sent to make use of was not fit for tillage and encloses some of his memorials on the subject. 571

Certificate from the principal farmers in the Township of Delaware, stating that Mr. Bond is a judicious farmer, and well able to carry on the culture of hemp. 578

Memorial, dated 19th February, 1810, from Wm. Bond, on the subject of a grant to be made him in the London District. 583

Another from the same, dated York, 30th July, 1810. 585

ber 25, Gore to Liverpool. The Solicitor General of this Province, Mr. Boulton, has obtained his leave to visit England. Has learned by experience that too much caution cannot be used in selecting proper subjects for the King's Bench, for which appointment Mr. Boulton is not properly qualified. Is convinced of the advantage of augmenting the Puisne Judges' salary to £1,000 a year. 498

r 12, Same to same. Transmitting a continuation of the minutes of the Executive Council of this Province on State matters from 1st January, 1809, to 30th June, 1810, and on Land matters for the same period. 501

r 12, Same to same. In his letter of 1st August, 1809, had asked for leave of absence to visit England on private affairs, stating that should leave be granted he would appoint the Chief Justice to administer the Government, and soliciting that the vacant office of Puisne Judge might be

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filled up. The reasons which persuaded him to ask for that leave are now very much stronger, and he again applies for that indulgence. The advantage of sending out a gentleman of ability to fill the vacant judgeship. Page 502

November 20, Lincoln's Inn. The Attorney and Solicitor General to same. In answer to letter of 10th November, transmitting a despatch from Lieut.-Governor Gore, submitting for the opinion of His Majesty's law servants the case of the grant of land to the late Captain Thomas Gummersal, state that they consider it proper to comply with the petition of the administrator. 502

December 26, York. Gore to same. Understanding that Mr. Small, Clerk of the Crown, has sent his son to England to solicit the appointment to that office on his resignation, thinks it his duty to state that that appointment would not meet with approbation here. 505

December 28, Treasury Chambers. Harrison to Peel. Transmitting abstract of warrants issued on the Receiver General of Upper Canada for Lord Liverpool's observations thereon. 501

Acting Governor I. Brock and Miscellaneous.—1811.

Q. 314.

1810.

July 9, Amherstburg. Matthew Elliott to Wm. Claus. The Sackies and Foxes to the number of 125 had arrived some days before and demanded a council. After asking for provisions, guns, ammunition, &c., they requested that the King should be assured of their attachment. Page 39

(In Gore's No. 12 of 1st March.)

October, 7, Amherstburg. Substance of speeches of the Indians at the Council at the Big Rock. 43

(In Gore's No. 12 of 1st March.)

October 16, Amherstburg. Matthew Elliot to Wm. Claus. Transmitting heads of what passed at the Council at Brown's Town, excepting the answer of the Huron's. Red Jacket's mission seems to have proved abortive in every point of view. Believes that the Indians are more ripe than ever for war. Dreads they may of themselves soon commence hostilities and our Government be blamed for encouraging them. Some Indians from Buffalo Creek had gone to Detroit where Hull furnished them with a boat to carry them home. Shall attend to his instructions respecting those left at the Grand River. 42

(In Gore's No. 12 of 1st March.)

November 5, Montreal. Memorial of the North-west Company relative to a new route in Upper Canada. 142

(In Brock's of 23rd November.)

November 15, Amherstburg. Speech of the Shawenese Prophet's brother. 54

(In Gore's No. 12 of 1st March.)

November 16, Amherstburg. Matthew Elliott to Wm. Claus. Transmitting speech of the Shawenese Prophet's brother, which fully convinces him that the Americans are on the eve of an Indian war. In answer to the demand of the Indians for supplies, can only tell them that no time will be lost in laying their speech before the King. Asks for directions as to the future treatment of the Prophet and his adherents. The reason for the unusually large issue of presents and provisions. 18th November, called the Prophet's brother to a private conference respecting the intentions of the Indians. 50

(In Gore's No. 12 of 1st March.)

November 29, Lt.-Governor's office. Wm. Halton, secretary, to Wm. McGillivray. Answer to the memorial of the North-west Company in Upper Canada. 148

(In Brock's of 23rd November.)

2. Gore to Liverpool. Enclosing report from the Executive Council on the petition of M. de Farcy, one of the French Royalist emigrants, and asking for His Majesty's further commands on the subject. Asks how far it may be advisable to grant special charters to enable the French Loyalists to obtain the promised grants. Page 2

Enclosed. Report of the Executive Council on the petition of Captain de Farcy, dated 13th December, 1810. 5

Copy of a letter from the Attorney and Solicitor General to Lord Hobart, dated 5th January, 1802, giving an opinion on the subject of grants of Land to aliens. 11

List of French Loyalists proposed to be given a special charter of denization, to enable them to obtain land grants. 14

7. Gore to Liverpool. (No. 9.) Enclosing a letter and memorial from Mr. St. George, late a major in Royalist Army. Recommends the memorial. 16

Enclosed. Memorial in French from Quetton St. George to Liverpool, dated 5th January, 1811. 18

Another of the same date, in English, also to Liverpool. 20

7. Certificate signed by Gore, stating during what period Thomas Ridout has been filling the position of Surveyor General. 193

(In Harrison's of 28th April.)

11. Gore to Liverpool. (No. 10.) Transmitting the annual establishment and annual requisitions. 24

Enclosed. Proposed establishment of the Indian Department in Upper Canada, for 1811. 24a

List of persons holding temporary appointments in the Indian Department Upper Canada. 24b

Requisition for Indian stores for 1811. 25

Ditto for stationery for the Indian Department for 1811. 30

24. Gore to Liverpool. Enclosing memorial from Thomas Ridout and Wm. Chewett for the emoluments of office since the suspension of Mr. Wyatt. Recommends that the petition be granted. 32

Enclosed. The memorial. 34

26. Bill of exchange drawn on W. H. Adams by Thomas Ridout, for salary as Surveyor General of Upper Canada. 192

(In Harrison's of 28th April.)

19. Statement signed H. W. R. (H. W. Ryland) concerning Bishop Plessis who had issued a *mandement* in which he had assumed titles and authority to which he was not legally entitled. Is he not liable to criminal prosecution? Under what statute an action might be brought. To what penalty might he be subject if prosecuted? 180

(In Ryland's of 19th February to Mr. Secretary Peel.)

26. Gore to Wm. Claus, Deputy Superintendent of Indian Affairs. He is to instruct Elliott to be more than usually circumspect in his communications with the Indians so as to give no suspicion of favouring their hostile designs against the United States. They are to be impressed with the certainty of misfortune if they attack the Whites, and convinced that the Americans are now becoming so strong that it would be impossible to prevail against them. They are also to be assured that this advice is given from a sincere regard for their welfare. 37

(In Gore's No. 12 of 1st March.)

Same to Liverpool. (No. 12.) Enclosing copies of three letters with their enclosures from Mr. Elliott, the Superintendent of Indian Affairs at Amherstburg to the Deputy Superintendent General. These letters being communicated to Sir James Craig, he (Gore) in conformity to his opinion, has instructed the D. S. G. of Indian Affairs to restrain the Indians from committing any act of hostility on the subjects of the United States. 36

(Enclosures calendared at their respective dates.)

1811.
March 4, Treasury. Harrison to Peel. Transmitting public accounts for Upper Canada for the half year ending 30th June, 1810, with vouchers, &c., for Lord Liverpool's observations thereon. Page 185

March 5. J. Watkins (for M. Winter) to Messrs. Coutts & Co. Respecting the duty on the 3 per cent consolidated annuities belonging to the Six Nation Indians. 206

March 7, Attorney General's office. Wm. Firth, Attorney General, to Wm. Halton, claiming a fee. 74
(In Gore's No. 14 of 9th April.)

March 8, Attorney General's office. Same to same. Respecting his claim for a fee. 77
(In Gore's No. 14 of 9th April.)

March 8, Treasury. Harrison to Peel. Transmitting letter from Governor Gore with requisitions for stationery for Lord Liverpool's opinion thereon. 187

March 18, York. Gore to Liverpool. Enclosing abstract from Auditor's Docket Books. 58

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada, which have passed the Great Seal of this Province, between the 1st of January and 31st December, 1810.

Counties.	No. of Grants.	Districts.	No. of Acres.	Total No. of Grants.	Total No. of Acres Granted.
York	99	Home	20,692	99	20,692
Durham	7	Newcastle.	1,738	25	5,588
Northumberland	18		3,850		
Lincoln	24	Niagara	3,604½	24	3,604½
Glengarry	28	Eastern.	4,347	69	10,962
Dundas	5		620		
Prescott	2		620		
Russell	16		3 714		
Stormont	18		1,661		
Grenville	12	Johnstown.	2,300	118	25,210
Carleton	53		11,810		
Leeds	53		11,100		
Essex	17	Western.	2,985	30	6,385
Kent	13		3,400		
Middlesex	3	London.	800	20	3,729
Norfolk	12		2,079		
Oxford	5		850		
Frontenac	62	Midland.	9,212½	155	28,81
Hastings	51		11,220		
Lennox and Addington	22		4,368		
Prince Edward	20		3,567		
			Total...	540	1

Errors excepted. P. SELBY, *Audit*

William Halton to John Small, Clerk of the Executive Council. Transmitting copy of a letter from Wm. Firth for the opinion of the Executive Council. Page 80

(In Gore's No. 14 of 9th April.)

Gore to Liverpool. The Legislature met on the 1st of February last. Encloses speeches. 61

Enclosed. The Lieut.-Governor's speech on the opening of the Legislature of Upper Canada. 62

Speech from the Council in answer to the above. 65

Speech from the Assembly. 67

The Lieutenant-Governor's speech on proroguing the Legislature. 70

Harrison to ——— Concerning his application in favour of Mr. Campbell for the situation of Assistant Judge of Upper Canada. His reasons for recommending the appointment. 208

Copy of a report of a committee of the Executive Council on the Attorney General's letter of the 8th March, 1811, respecting his claims concerning the great seal. 81

Enclosed. Extract from the proceedings in Council of 13th July, 1799. 85

Enclosed. Extract from the proceedings in Council of 5th November, 1799. 86

(In Gore's No. 14 of 9th April.)

Gore to Liverpool. (No. 14.) Enclosing letters respecting a fee for the Great Seal claimed by the Attorney General. 72

(Enclosures calendared at their respective dates.)

W. D. Adams to Harrison. Enclosing copies of a bill of exchange and accompanying certificate drawn on him by Mr. Thomas Ridout for the directions of the Lords of the Treasury. Reason why he does not feel justified in paying it. 189

(In Harrison's of 28th April.)

Harrison to Peel. Enclosing letter from W. D. Adams with copy of Bill of Exchange drawn upon him by Thomas Ridout for Lord Liverpool's opinion whether the bill is to be paid. 188

(Enclosures calendared at their respective dates.)

P. Langan to Colonel Bunbury respecting his title to some property, and enclosing memorial, &c. 194

Enclosed. Memorial. 198

Appointment of P. Langan to be Assistant Paymaster of Contingencies at Montreal. 202

Wm. Campbell to Peel. Respecting his case and his application for the vacant situation of Assistant Justice in Upper Canada. 203

Same to same. Mr. Harrison having informed him of his appointment to the situation of Assistant Judge in Upper Canada, he is anxious to have the *mandamus* and other necessary papers made out as soon as possible that he may return home by the June packet. 211

Gore to Liverpool. Transmitting Schedule of Bills passed in the third session of the Fifth Provincial Parliament; also copies of the Journals of the two Houses during the same session. 87

Enclosed. Schedule. 88

Provisional agreement with the Chippewa Indians for a tract of land. 154

(In Brock's of 23rd November.)

Proceedings of a meeting with the Chippewas. 157

(In Brock's of 23rd November.)

Peel to Harrison. Asking that Lord Liverpool be furnished with an account of the total cost of the Indian Department for the years 1806, '7, '8, '9, '10, to enable him to judge of the propriety of adopting a plan

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proposed for giving a cash allowance to the Indians on the borders of Upper Canada, in lieu of presents. Page 247

June 13, Strand. Thomas Coutts & Co., to James Chapman and Adam Gordon. After much correspondence with the Tax Commissioners they say that unless it can be declared that the Indian Nations are not subjects of His Britannic Majesty, they cannot comply with the request for the return of the Property Tax collected on the Consolidated 3 per cent stock belonging to the Six Nation Indians in Upper Canada. 212

July 5, Montreal. P. Langan to Peel. Enclosing a memorial addressed to Lord Liverpool on behalf of himself and the Baroness of Longueuil, widow of the late David Alexander Grant. 214

Enclosed. The Memorial. 219

July 11. Harrison to Liverpool. In consequence of Mr. Peel's request for a certificate as to Mr. Campbell's character and fitness for the situation of Assistant Judge, has no hesitation in recommending him. 230

July 11. Ryland to Peel. Concerning the rights of the Crown with regard to the St. Sulpician estates and properties of the Church of Rome, in general, in Lower Canada. 223

July 13, Downing St. Draft of a letter to Gore. (No. 5.) His request for leave of absence has been approved by the Prince Regent. The Civil Administration of the Colony is to be committed to the Officer Commanding the Forces. 92

July 18, York. Gore to Liverpool. (No. 15.) In his despatch No. 14, had transmitted papers relating to Mr. Firth's claim respecting the Great Seal, he has now to transmit a letter from that gentleman, claiming the right to conduct all the criminal prosecutions on the circuit at the charge of the Crown. Encloses nine papers relating to Mr. Firth's pretensions. 94

Enclosed. The papers. 98 to 115

July 24. Provisional agreement with the Mississaguas for land in Thurlow. 164
(In Brock's of 23rd November.)

July 24, Smith's Creek. Proceedings of a meeting with the Mississagua Indians of the River Moira. 166
(In Brock's of 23rd November.)

July 29, York. Gore to Liverpool. (No. 16.) Before an opportunity offered to despatch his letter, No. 15, had received a request from Mr. Firth for leave to go to England, not to return. His reasons for refusing to consent. He has been informed that Mr. Firth is determined to embark without permission. 116

Enclosed. Four letters on the subject. 119, 121, 123, 126

August 9, London. John Black to Peel. Enclosing his memorial addressed to Lord Liverpool. 232

Enclosed. The memorial. 235

August 9, Lincoln's Inn. Opinion of the Attorney and Solicitor General addressed to Liverpool on the case referred to them, whether all instruments under the Great Seal should pass through the office of Attorney General of the Province. 238

August 10, York. Gore to Liverpool. Has directed Col. Claus to draw on Messrs. Coutts and Co. for the sum of £496 2s. 6d., accruing to the Six Nation Indians from the money invested in the funds. 127

August 15, Downing St. Draft of a letter to the Officer Administering the Government of Upper Canada. Transmitting copy of the opinion of the Law Officers of the Crown on the claim of the Attorney General that all Instruments under the Great Seal should pass through his office and receive his fiat. 128

August 15, *York.* Gore to Liverpool. Recommending Mr. Cartwright for a grant of 3,000 acres of waste lands without fees. 130

1.
31, Harrison to Peel. Enclosing copy of the report of the Commissioners
y. of Taxes relative to the deduction of the Property Duty from the dividends belonging to the Six Nation Indians, for Lord Liverpool's information. Page 241
Enclosed. The report. 242
31, Same to same. Enclosing copy of the report of the Commissioners
y. for auditing the Public Accounts, on the expenses of the Indian Department in Upper Canada, for Lord Liverpool's information. 243
Enclosed. The report, dated 16th August. 244
ber 6, Plans of a tract of land intended to be purchased from the Mississagua Indians in the Township of Thurlow. 150
(In Brock's of 23rd November.)
ber 15, Wm. Firth, Attorney General, to Liverpool. As the Lieutenant-Gov-
l. ernor has refused him leave of absence, asks his (Liverpool's) permission to return home to make some disclosures. 249
ber 28, Gore to same. Respecting the claim of Mr. Jarvis, secretary of the province, for the expense incurred by him in perfecting 1,040 patents of land. 133
ber 30, Same to same. Apprising him of the unprecedented conduct of Mr. Firth, who has left the province to embark at Quebec. Has, with the advice of the Executive Council, named John McDonnell to perform the duties of Attorney General till His Majesty's pleasure be known. Too much care cannot be exercised in choosing a successor to Mr. Firth. 135
Enclosed. Extract from the proceedings of the Executive Council. 137
ber 30, Harrison to Peel. In answer to letter of 11th June, on the subject of
r. commuting the Indian presents, and requesting to be furnished with an account of the total cost of the Indian Department, for some years past, is commanded to transmit copies of the Indian accounts. 252
Enclosed. Extract of a report of the Comptrollers of Army accounts, dated September 23rd, 1811. 254
An account of expenses paid by the Indian Department for presents for the years 1807, 1808, 1809, 1810 and 1811. 257
Account of provisions issued to the Indians for the years 1806 and 1807. 258
8, Gore to Liverpool. Acknowledging receipt of letter conveying to him (Gore) leave of absence for twelve months on private business. Major General Isaac Brock, on whom the administration of the Government devolves, has been sworn in as a member of the Council. 138
8, Harrison to Peel. Enclosing letter from Mr. Adams, asking instruc-
r. tions relative to the acceptance of a bill drawn by Mr. Thomas Ridout for his salary, for Lord Liverpool's opinion thereon. 259
Enclosed. The letter, dated 3rd October. 260
9, Major General Isaac Brock to Liverpool. States that the usual oaths were this day administered in Council to enable him to preside over the Civil Government of the Province. 139
er 4, Harrison to Peel. Transmitting letter from Gore with a memorial
r. from Capt. Claus, praying for an increase of salary, for Lord Liverpool's opinion thereon. 262
er 5, Same to same. Transmitting report of the Comptrollers of Army
r. accounts of 24th ult., on a letter from Gore enclosing the accounts of Upper Canada, that Lord Liverpool may make any observations he wishes prior to their being sent to the Audit Office. 264
er 19, Harrison to ———. Respecting the public accounts of Upper
r. Canada. 265
Enclosed. Extract of report of Comptrollers of Army accounts, dated 1st October, 1807. 267

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Extract of report of Comptrollers of Army accounts, dated 24th October, 1811. Page 268

November 19, Treasury. Harrison to Peel. The Commissioners approve of an increase being made to the salary of Captain Claus. 269

November 20, Fort George. Requisition for goods intended as payment for a tract of land purchased from the Chippewa Indians. 151
(In Brock's of 23rd November.)

November 20, Fort George. Requisition for goods intended as payment for land purchased from the Mississaguas. 171
(In Brock's of 23rd November.)

November 23, York. Brock to Liverpool. Enclosing memorial and accompanying papers from the North-west Company. 140
(Enclosures calendared at their respective dates.)

November 25, Downing St. Draft of a letter to Gore. (No. 6.) Queries on several points connected with the annual estimate for defraying the charge of the Civil Establishment of Upper Canada. 173

December 3, Downing St. Same. (No. 7.) Transmitting copy of a letter from the Treasury with its enclosures relative to the impropriety of including military expenses in the accounts of the Province of Upper Canada. 175

December 3, York. Brock to Liverpool. Acknowledging letter, stating that an annual grant of £100 for every future missionary sent to this colony had been sanctioned. The great need of more workers. Reports the arrival of Mr. Justice Campbell. 176

December 3, Admiralty office. Croker to Peel. Having laid before the Commissioners of the Admiralty a letter transmitting an extract of one from Mr. Boulton, Solicitor General of Upper Canada, who was captured on board the "Minerva" on his passage from Quebec, suggesting how an application for his release might be made, is commanded by the Commissioners to state, for Lord Liverpool's information, that the French Government will be applied to for his release. 271

Enclosed. Extract of letter, dated Verdun, 1st October, 1811. 272

December 5, Downing St. Draft of a letter to Gore or the Officer administering the Government of Upper Canada. (No. 8.) The Commissioners of the Treasury approve of an increase to the salary of Col. Claus. 178

December 20, Treasury. Harrison to Peel. Transmitting letter from Brock containing requisitions for stationery for 1812, for Lord Liverpool's opinion thereon. 270

ACTING GOVERNOR I. BROCK, LIEUT.-GOVERNOR R. H. SHEAFFE—1812.

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1812.

February 7, Downing St. Draft of a letter to Gore or Officer administering the Government of Upper Canada. (No. 9.) Transmitting an application made by Lord Amherst in favour of Mr. Hale, Deputy Paymaster General at Quebec, who solicits a grant of land. Recommends the application. Page 2

March 12, Downing St. Draft of a letter to Brock or Officer administering the Government of Upper Canada. (No. 1.) Transmitting copy of a letter from Gore recommending an additional grant to Mr. Cartwright of 3,000 acres. The Prince Regent approves of the grant. 3

March 23, York. Brock to Liverpool. The Legislature met on the 3rd ult. Enclosed speeches will give an idea of the temper with which the session commenced. The first bill passed was one to give an additional reward of £5 for every deserter from His Majesty's service. From the number of aliens in Canada had judged an oath of abjuration advisable, but failed in passing the measure. Had also attempted to pass in the Legislative Council a bill for the suspension of the *Habeas Corpus Act* but failed in

that also. The sum of £5,000 has been appropriated to the use of the Militia, on which he will draw if the aspect of public affairs should call for active measures. Perfect reliance can be placed on the loyalty of the original inhabitants and their descendants. The proceedings in Congress have induced several Americans to withdraw from this Province and many more are preparing to follow. Transmits schedule of Bills which passed the Legislature. Also papers on different subjects. The instructions of Sir James Craig have been well enforced by the officers of the Indian Department to prevent the commencement of hostilities; and though about 300 have had recourse to arms yet the neutrality held by numerous tribes has saved the Western country from destruction. Page 4

Enclosed. Speeches on the opening of the Legislature. 14 to 27

Schedule of Bills passed. 28

Address from the House of Assembly to Prince Regent respecting a number of Loyalists, &c., who have not received grants of land. 31

Report of the Executive Council on the above. 36

Report from the House of Assembly to the Prince Regent; praying for redress from the decision of Chief Justice Scott who had liberated Robert Nichol's from prison. 39

Papers on the subject of Robert Nichol's commitment. 41 to 69

Speeches on prorogation. 70, 71

Observations on the actual state of the Province signed by Brock, and dated 3rd December, 1811. 73

St. Draft of a letter to Brock. (No. 2.) Sir George Prevost has been appointed Lieut.-Governor. 85

St. Same. (No. 3.) Respecting duties on goods imported from the United States. 86

St. Same. (No. 4.) Informing them that requisition for goods required to pay for lands to be purchased from the Chippawas and Mississaguas will be forwarded to Canada. 88

St. Draft of a letter to Gore. The Prince Regent has confirmed the appointment of Alexander McDonell to be Attorney General of Upper Canada. 89

Brock to Liverpool. Transmitting continuation of the minutes of the Executive Council on State matters from 3rd August, 1810, to 5th October, 1811, and on Land matters from 1st July, 1810, to 5th October, 1811. 90

Brock to Liverpool. Enclosing abstract from the Auditor's Docket Books. 91

1812.

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upper Canada which have passed the Great Seal of this Province between the 1st January and 31st December, 1811, inclusive.

Counties.	Number of Grants.	Districts.	Number of Acres.	Total Number of Grants.	Total No. of Acres Granted.
York	238	Home.	46,379 1/10	238	46,379
Durham	4	Newcastle.	950	24	5,190
Northumberland	20		4,240		
Lincoln	41	Niagara.	8,569	41	8,569
Glengarry	8	Eastern.	1,595	70	15,194
Dundas	5		1,050		
Prescott	2		600		
Russell	49		11,800		
Stormont	6		149 5/10		
Grenville	28	Johnstown.	2,224	61	8,924
Carleton	1		300		
Leeds	32		6,400		
Essex	15	Western.	2,751	23	4,906
Kent	8		2,155		
Middlesex	3	London.	2,018	43	14,024
Norfolk	29		9,306		
Oxford	11		2,700		
Frontenac	27	Midland.	2,604 3/10	83	12,400
Hastings	12		2,485		
Lennox and Addington	19		3,307		
Prince Edward	25		4,004		
			Total...	583	115,586

Errors excepted.

P. SELBY,
Auditor General.

Page

April 20, York. Brock to Liverpool. Transmitting copies of the laws of the Four Session of the Fifth Provincial Parliament, also copies of the Journal the two Houses during the same session.

May 11, York. Same to same. Acknowledging receipt of letter of 3rd Dec addressed to Gore, with its enclosures relating to the impropriet cluding Military expenses in the accounts of Upper Canada. attention will be given to the instructions.

Same to Peel. Acknowledging circular letters of 5th and 17th December together with the London Gazette's extraordinary, detailing the brilliant achievements of the British Army under Lieut. Generals Hill and Achmutz. Page 97

Extract from the proceedings in Council approving of the measure proposed by Brock. 114

Enclosed. General Brock's proposal that at the present juncture the Prince Regent should be moved to give permission to place the family of every soldier, regular and militia, also of every mariner on the Lakes, who may be killed in the coming contest, upon the U. E. list and to extend this advantage to every mariner and militia man who may be maimed or disabled upon actual service. 115

Draft of a letter to Gore or Officer administering the Government in Upper Canada. Transmitting letter from the Treasury containing the decision upon the application of the Baroness De Longueuil and Mr. Langan. 98

Same. (No. 6.) Transmitting decision of the Treasury on the memorial of Messrs. Ridout and Chewett. 99

Same. (No. 7.) Transmitting copy of letter from the Treasury stating that the goods asked for to pay for certain tracts of land purchased from the Indians will be shipped to Canada. 100

Draft of a letter to Brock or Officer administering the Government. Transmitting memorial of Mr. Firth, late Attorney General of Upper Canada. Observations on the memorial. 101

General order. Application has been made to the Prince Regent asking that lands be alotted to the wives and children of such soldiers and marines as may be killed in the present contest, and relief afforded to those who may be wounded and for whom no other provision is made. 110

Draft of a letter to Brock or Officer administering the Government. (No. 8.) The nine Acts passed by the Legislature of Upper Canada in March, 1811, have been submitted to the Privy Counil and do not appear liable to any objection. List of the Acts. 104

Draft of a letter to Brock (No. 1.) Transmitting extract of a letter written to Mr. Firth by Lord Liverpool's direction, on the subject of his accounts. 108

Proclamation of General Hull to the inhabitants of Canada. 147
(In Brock's of 29th August.)

Proclamation issued by General Brock in answer to Hull's. 152
(In Brock's of 29th August.)

Speeches on the opening of the Legislature of Upper Canada. 131 to 142
(In Brook's of 29th August.)

Draft of a letter to Brock (No. 2.) Transmitting letter from the Treasury, enclosing copy of a report from the commissioners of taxes respecting the salaries of Civil Officers in Upper Canada. 110

Same. (No. 3.) Transmitting copy of a memorial from Mr. Davenport Phelps praying for lands. 111

Proceedings in Council deciding that Martial Law may be proclaimed and exercised. 126
(In Brock's of 29th August.)

Speeches on the closing of the Legislature of Upper Canada. 143
(In Brock's of 29th August.)

Draft of a letter to Brock (No. 4.) Despatches received and laid before the Prince Regent who approves of the measures already taken and is confident that his zeal and activity have increased in proportion to the hostility shown by the United States. Is convinced support may be

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had if required from Sir George Prevost. The liberal appropriations made by both provinces and the loyal spirit of the inhabitants leave little apprehension of the ultimate result of any action. Page 111

August 10. Proclamation by Major General Brock to the people of the Michigan Territory. 172

(In Brock's of 29th August.)

August 16, Detroit. Capitulation for the surrender of Fort Detroit entered into between Major General Brock and Major General Hull. 165

(In Brock's of 29th August.)

August 17, Detroit. Brock to Prevost. The enemy crossed the Detroit River on the 12th ult., without opposition, established himself at Sandwich and ravaged the country as far as the Moravian town. Some skirmishes took place between the enemy and the troops under Lt.-Col. St. George. An account of the surrender of Detroit and the capitulation of Hull and his army on the 16th August. 157

(In Brock's of 29th August.)

August 29, York. Same to Liverpool. The invasion by General Hull having produced such an effect that the Norfolk Militia refused to march, he thought it his duty to lay the enclosed representation before the Executive Council. The Legislature prorogued after passing the money bills. Transmits speeches on the opening and closing of both Houses. Is much troubled by the disposition shown by the people of the Western district to submit tamely and of the Six Nations at the Grand River to remain neutral. Encloses copy of Hull's proclamation on taking possession of Sandwich and the counter proclamation which he (Brock) had issued with good effect. Refers him (Liverpool) to his official despatch for his subsequent proceedings. Some account of Tecumseh and the Indians in general. The reinforcements lately arrived place this country beyond the likelihood of an attack. 118

(Enclosures calendared at their respective dates.)

August 30, York. Same to Liverpool. Before the despatch respecting the duties to be imposed on American manufactures was received, war had been declared by the United States. When tranquility is restored the commands will be obeyed. 1

August 31, York. Same to same. Despatches received. Encloses answers to questions contained in that of 25th November, 1811. 1

Enclosed. Questions. 1

August 31, York. Same to same. Recommending that John McDonnell be confirmed in his appointment as Attorney General of Upper Canada. 1

September 1, York. Same to same. Acknowledging despatch respecting foreigners arriving in the Province from the parts of Europe that are under the control of the French Government. 1

September 14, Fort George. Same to Bathurst. (No. 1.) Despatch stating that the seals of the Colonial and War Department had been entrusted to him (Bathurst) receiv- 1

September 14, Fort George. Same to same. (No. 2.) Despatch enclosing memorial of the late Attorney General Firth received. The explanations asked for cannot be transmitted by this opportunity. Encloses copy of the general order respecting Mr. Lees, of the 100th Regiment, of which Mr. Firth complains. 1

Enclosed. The General order. 1

September 26, York. Same to same. (No. 3.) Respecting Mr. Firth's accounts. Despatch received. 1

September 28, York. Same to George Harrison. Transmitting for the information of the Lords of the Treasury, a report of the Executive Council as to whether Messrs. Campbell and Grece have complied with the conditions required by their bonds to encourage the culture of hemp. 1

Enclosed. The report. 1

812.

Draft of a letter to Brock. (No. 5.) Transmitting copy of a letter respecting the shipment of stationery for the Indian Department, Upper Canada. Page 204

er 20, Major General R. H. Sheaffe to Bathurst. (No. 1.) In consequence of the death of Major General Brock, has taken the oaths as President to administer the Civil Government. Encloses extract of his (Sheaffe's) despatch on the subject of the public loss. No word from Proctor at Detroit lately. The last stated that troops were on the march against him. The enemy has been reinforced on the Niagara Frontier since the 13th inst., and expect more help. They seem determined to repeat the attacks and by the aid of numbers and perseverance they may eventually succeed in gaining possession of a small part of the Province unless reinforcements speedily arrive. At present an armistice exists between himself and Brigadier General Smyth, thirty hours' notice to be given of intended rupture. Lt.-Col. McDonnell, Provincial Aide-de-camp to Brock, and Attorney General of this Province, died on the 14th inst., of wounds received in the action at Queenston. Shall appoint some one to act in his place till His Majesty's pleasure be known. 205

Enclosed. Extract, dated 13th Oct., 1812, and addressed to Sir George Prevost. 208

ber 16, ng St. Draft of a letter to Brock. (No. 6.) Despatches received and laid before the Prince Regent, who approves of his (Brock's) conduct. As the success in Upper Canada has secured peace there for some time, he trusts that due preparations will be made to meet future invasions. Mr. McDonnell's appointment has been confirmed. The conduct of many of the Indian tribes gives them a fair claim to protection and reward. 189

ber 14, ng St. Draft of a letter to the Officer administering the Government of Upper Canada. (No. 1.) Giving authority to increase the salary of Mr. Givens, Superintendent of Indians. Grant of land to be made to Mr. Selby, Receiver General of Upper Canada. 211

ber 15, ng St. Same (No. 2.) Edward Bowen has been appointed Attorney General of Upper Canada. 213

ber 15, ng St. Same. (No. 3.) Transmitting memorial of Mr. McGillivray and papers relating thereto. The subject to be put before the Council. 214

ber 31, eorge. Sheaffe to Bathurst. (No. 1.) Being constantly in the presence of the enemy, has prevented him from writing frequently. Respecting the Militia and the Provincial Marine. Proposes going to York, where he will consult the Executive Council as to the expediency of assembling the Legislature before the close of the winter. 219

ber 31, eorge. Same to same. (No. 2.) John Beverly Robinson was sworn in on the 3rd inst. to act as Attorney General of the Province. 216

ber 31, eorge. Same to same. (No. 2.) Enclosing requisition for an extra quantity of Indian presents for 1813, in the event of war continuing. 223

Enclosed. The requisition. 224

ber 31, eorge. Same to same. (No. 3.) Acknowledging despatches. The Executive Council has not yet prepared a report on the memorial of Mr. Davenport Phelps. 218

e. Plan of Fort at Detroit. 173*a*.

Schedule of the Acts passed in the first (extra) session of the 6th Provincial Parliament of Upper Canada. 145

(In Brock's of 29th August.)

MISCELLANEOUS.—1812.

Q. 316

1808.
July 30, York. Gore to Castlereagh. Enclosing papers respecting Mr. L claim to Grand Isle, opposite Kingston, and asking direction subject. P

Enclosed. Petition of Baroness de Longueuil and Patrick stating that they are the lawful proprietors of Grande Isle and t small adjacent islands, Garden, Forest and Nut, and asking that left in possession. Opinion of the Solicitor General of England ing His Majesty's title to Grand Isle, dated 28th January, 1796.

The report of Attorney General Powell, of Lower Canada, re Grand Isle.

1812.
January 1. Certificate that D'Arcy Boulton, Solicitor General for Upper is held prisoner at Verdun, France.

January 1, Montreal. Amherst to Liverpool. Soliciting a grant of 5,000 acres i Canada for his brother-in-law, Mr. Hale, Deputy Paymaster Gen

January 7, London. Alex. McDonnell to Gore. Asking that he, as sole executor late Solicitor General Gray, drowned on the "Speedy" on La tario, be given an order for for the salary due him.

Enclosed. Copy of letter of administration certified by Cheniquy.

Certificate, that Joseph Cheniquy is a duly commissioned Public.

Certificate that Robert Isaac DeyGray fulfilled his duties as S General of Upper Canada from 13th June to 8th October, when barked on the "Speedy" which is supposed to have foundered.

January 13, Riegate. John Wm. McGrue to Liverpool. Asking for 40,000 acres of

Enclosed. Some reflections, in addition to the memorial pres Liverpool, by John McGrue.

January 18, Norwich. Wm. Firth, Attorney General of Upper Canada, to Liverpo capitulation of his complaints against the Governor and Ex Council of Upper Canada.

February 19, Treasury Chambers. Harrison to Peel. Respecting the provisions for the Indian ment and the pensions for officers of the same.

February 19, Treasury Chambers. Same to same. Asking from what fund the pension of Steele, of the Provincial Marine, is to be paid.

February 24. Gore to same. Respecting the provisions and rum for the and also the pensions of the department.

February 24. Same to same. Captain Steele's pension is paid out of the chest at Quebec.

February 29, Treasury Chambers. R. Wharton to same. Transmitting abstracts of warrants iss Gore on the Receiver General of Upper Canada, from 1st Octob to 7th Oct., 1811, for Lord Liverpool's observations thereon.

March 5, Treasury Chambers. Harrison to same. Transmitting letter from Brock, enclos requisitions for goods required to pay for lands to be purchase the Chippawa and Mississagua Indians in Upper Canada, fo Liverpool's opinion thereon.

March 9, London. Wm. Smith to ——. Transmitting a memorial from Mr. Attorney General of Upper Canada.

March 10. Gore to Peel. His reasons for entering into a provisional agr with the Indians of Matchedash and Lake Simcoe for the purc about 250,000 acres of land.

March 11. Same to same. Observations on Mr. Firth's memorial.

1812.
ch 12. Wyatt to same. Asking again for copies of certain official letters written by Lord Castlereagh, relative to his suspension from office, the first copies having been mislaid. Page 66

ch 13, hington. Foster, His Majesty's Envoy, to ———. Believes the information he has received of the defenceless state of Detroit to be correct, has written to Prevost to put him on his guard against surprising it even should a declaration of war be proposed in Congress. After war has actually commenced is time enough to take offensive measures. 174
(In Hamilton's of 5th May.)

ch 21. Wyatt to Peel. Thanks for the copies of the letters asked for. Gives the following extract of a letter from Castlereagh. "What might be "deemed charges against Mr. Wyatt, I considered he had satisfactorily "explained when I recommended to the Treasury to employ Mr. Wyatt "elsewhere." 68

ch 21, ate. John Wm. Grue (or McGrue?) to same. Thanks for his note stating that the Governor of Upper Canada will make out a grant of such proportion of land as he considers proper. Asks for some official letter to present on arriving in Canada. 69

h 21. W. D. Adams to Harrison. Stating that a moiety of Mr. Wyatt's salary has been paid to Messrs. Chewett and Ridout. 139
(In Harrison's of 14th April.)

h 31, ury nbers. R. Wharton to Peel. The Lords Commissioners see no objection to Mr. Gore's suggestions respecting the proposed road in the Western District. 70

16, ury nbers. Harrison to same. Respecting the salary of Mr. Justice Powell. 71

19, ning St. Peel to Gore. In reference to letter of 11th ultimo, states that Lord Liverpool has selected such extracts from the letters addressed to him by Mr. Firth as appear to comprehend the specific grounds of Mr. Firth's complaint. 44
Enclosed. The extracts. 45 to 65

l 10. Wyatt to Liverpool. Asking to be furnished with such parts of Mr. Gore's letters as constitute charges against him (Wyatt). 72

l 11. Gore to ——— (Private). Has made a few notes for his (Gore's) information on the conduct of Mr. Firth while in Canada. 73

l 11. Same to Peel. Letter of 9th instant, transmitting extracts from letters of Mr. Firth received. Encloses explanations upon some of the circumstances referred to in the extracts which come within his own personal knowledge and suggests that such passages as relate to the Executive Council, Bench, &c., in Canada be forwarded to them. 74
Enclosed. The explanations. 75 to 87

l 11. Gore's reply to an extract of a letter from Wm. Firth, dated York, 10th April, 1810. 88
Enclosed. Documents relating to the same. 93 to 126

l 13, ning St. Draft of a letter to Gore. The letters on the subject of Firth's accounts and his conduct in quitting the Province without leave have been laid before the Prince Regent, who upholds his (Gore's) conduct. 136

l 14, ury nbers. Harrison to Peel. Transmitting letter from Mr. Adams upon the memorial of Messrs. Ridout and Chewett, praying for a moiety of Mr. Wyatt's salary during his suspension while they performed his duties, for Lord Liverpool's opinion on the application. 138
(Enclosure calendared at its proper date.)

l 14. Adams to same. Enclosing certificate that Mr. McDonell has discharged the duties of the Attorney General from 28th September to 31st December, 1811, with an order to pay the salary due to Mr. Wm. Allan. Asks for directions. 141
Enclosed. The certificate. 143

1812.

April 21. Memorial of Wm. McGillivray. Asking that the St. Regis Indians be permitted to give him a perpetual lease of their lands opposite the village of St. Regis. 144

Enclosed. Petition of the Iroquois Indians of St. Regis to Gore, with the same request. 150

Gore's answer to the above refusing the request. 152

April 24, Treasury Chambers. Harrison to Peel. The goods asked for by Brock to pay for certain lands in Upper Canada purchased from the Indians are to be forwarded to Canada. 154

April 24, Norwich. Firth to same. Observations on his letter of 13th instant. 155

April 27. Gore to Liverpool. Expressing his satisfaction that Mr. McDonell has been confirmed in his appointment of Attorney General. 161

April 29, Treasury Chambers. Harrison to Peel. Transmitting letter from Brock, inclosing requisitions for stationery for the Indian Department for Lord Liverpool's opinion thereon. 162

April 30. Smith, Payne and Smith. Stating in connection with the memorial of Wm. McGillivray that they have known him for many years and believe him to be of high character. 163

May 2. Gore to Liverpool. Respecting the fees which form part of the emolument of the Lieutenant-Governor of Upper Canada. 164

Enclosed. Statement. 167

May 2. Thomas Scott to Gore. An account of his dispute with the House of Assembly. 281

May 5. Adams to Peel. Respecting the salary of Major General Brock. 171

May 5. John Honeyman, agent for Wm. Campbell to same. Respecting Campbell's salary as Judge of the King's Bench in Upper Canada. 172

May 5, Foreign Office. Wm. Hamilton to same. Transmitting extract from a despatch from His Majesty's Envoy at Washington, dated 13th March. 173

(Enclosure calendared at its proper date.)

May 9. Gore to same. Returns communication from the Treasury of 29th April. The arrears of stationery for the Indian Department should be ordered out to this country. 175

May 18, Treasury Chambers. Harrison to same. Directions as to the salary of Mr. Wyatt during his suspension. 176

May 19. Wyatt to same. Asking for copies of the charges preferred against him. 178

May 20, Whitehall. Chetwynd to same. Returning Acts passed by the Legislature of Upper Canada which do not appear to require confirmation but may be left to their own operation. 180

May 25, Horse Guards. Torrens to same. Having laid before the Commander-in-Chief his letter of 23rd instant, with enclosure, states that no such general order as therein alluded to is reported to have been issued. The subject will be referred to Prevost. 181

May 26. Gore to same. (Private.) Is much pleased with the decision on the claim of the Baroness de Longueuil and Mr. Langan. Asks for a copy of Mr. Harrison's letter on the subject, 182

May 27, Downing St. John Wm. Grue (or McGrue) to same. Asking for such a letter to the Governor of Upper Canada as will entitle him to attention. 183

May. Memorial of Margaret Vesey to the Earl of Liverpool, for a grant of land. 185

June 1. Gore to Peel. Conditions under which he thinks the land reserved for the St. Regis Indians might be granted to Mr. McGillivray. 187

June 6. Same to same. Asking whether he thinks it probable Lord Liverpool would find any difficulty in granting him a tract of land. 189

June 6. Copy of the proceedings of Council relative to the memorial of Mr. Secretary Jarvis, asking for compensation for the stationery, &c., used for deeds in the land granting office. 279

1812.
8. Wm. Jarvis, Secretary of Upper Canada, to Gore. Assuring him that he (Jarvis) had never authorized Mr. Firth to use his name, and denies being aggrieved by his (Gore's) conduct. Page 132

20. Adams to Peel. Respecting Mr. D'Arcy Boulton's salary as Solicitor General of Upper Canada. 191

9. Harrison to same. Transmitting a memorial from Dr. Ridout, praying for the payment of salary due his brother, Thomas Ridout. 193

14. Gore to Bathurst. Enclosing memorial of Prideaux Selby, Receiver-General of Upper Canada. 194

Enclosed. The memorial. 195

15. Wyatt to Bathurst. Repeating his request for a copy of the charges preferred against him. 197

21. E. W. Phelps to Peel. Enclosing a memorial from Davenport Phelps asking for a grant of land. 200

Enclosed. The memorial. 201

23. Gore to same. Recommending that the memorial of Davenport Phelps be referred to the Council of Upper Canada. 204

st 5. J. Barker, Deputy Storekeeper General, to Harrison. Reporting the shipment of the stationery for the use of the Indian Department in Upper Canada. 212

st 8. Same to same. Reporting the shipment of the Indian stores to pay for the land purchased from the Chippawa and Mississagua Indians. 214

st 13. Wyatt to Bathurst. Asking for an answer to his letter of the 15th ult. 206

st 14. Gore to Peel. Calling his attention to the following points which should be settled before he (Peel) leaves the office, viz.: Mr. Given's salary to be increased; grant of land to be made to Mr. Selby; approval of certain sums for secret services expended by him (Gore) to be forwarded to Canada; attention to be given to the House of Assembly who have petitioned the Prince Regent to remove the Chief Justice. Has received a private note from Harrison stating that Liverpool had acceded to the arrangements for increasing the salary of the Lieut.-Governor of Upper Canada. 207

st 20. Wharton to same. Enclosing a copy of a letter from the Deputy Storekeeper General reporting the shipment of stationery for the Indian Department. 211

(The enclosure calendared at its proper date.)

t 20. Memorial of Count Joseph de Puisaye to Liverpool. Asking that Commissioners be appointed to enquire into his own claims and those of the Royalists he had brought out from France. 217

(In Wharton's of 9th September.)

t 22. R. Wharton to Colonel Bunbury. Enclosing copy of a letter from the Deputy Storekeeper General, reporting the shipment of Indian stores. 213

(Enclosure calendared at its proper date.

ber 1. Same to same. The four items in Gore's account mentioned in Peel's letter of 18th March last, have been allowed for. 215

ber 9. Same to Henry Goulburn. Enclosing letter, &c., from Count de Puisaye, respecting the investigation of his claims, for Lord Bathurst's observations thereon. 216

(Enclosure calendared at its proper date.)

ber 16. Harrison to same. In reply to Gore's suggestion that a fixed salary be given the Governors in lieu of fees, the Commissioners of the Treasury have directed that all the fees in future be paid to the Receiver General and £1,000 be given to the Lieut.-Governors in their stead.

1812.

September 30. John Francklin to same. Enclosing a certificate from Verdur D'Arcy Boulton, Solicitor General for Upper Canada held prisoner is still alive, and asking for an order from Lord Bathurst for hi year's salary. Pa

Enclosed. The certificate.

October 22, Quebec. Extract of letter from Mrs. —— to Mrs. ——. The news of th ing of Detroit has been followed by the news of another dear b victory, owing to the death of Major General Brock. He is unive regretted, and had much influence over the Canadians and In Gives copy of a speech made to him by Tecumseh.

October 24, Downing St. Mr. Gordon to Mr. Acheson, acting for Wm. McGillivray. The on the subject of McGillivray's petition have been sent to the Tre with a request that if the decision is favourable, instructions shall b to the Colony to carry the arrangements into effect.

October 29, London. Simon McGillivray to Sir James Shaw, M.P. Asking that he u influence to further the application of his brother, Wm. McGill who wishes to secure an order from Government permitting him t chase a tract of land opposite St. Regis from the Indians.

November 16, Treasury Chambers. Wharton to Goulburn. The Commissioners of the Treasury, h considered Wm. McGillivray's memorial, think that he mig allowed to acquire at least a part of the land under certain r tions.

November 28. John Savery Brock to Bathurst. In compliance with his re encloses an account of the near relations of his brother, the late General Brock, who had determined that all should profit from h and emoluments.

Enclosed. The account.

Extracts of letters from Brock to his brothers.

December 4. J. Doyle, L. G., to Goulburn. Enclosing copies of three letter Brock to his family, which, as they portray his character, sho shown to Bathurst.

Enclosed. Extract of letters from Brock to his brothers in land.

December 8. Edward Begg to Bathurst. Urging the claims of the relati Brock.

December 18. Gore to same. Asking for an extension of his leave.

December 18, Stamford Hill. Wm. Brock to ———. Thanking His Majesty's Ministers for sympathy and their benevolent intention of recommending an allo to each of Brock's relatives standing in need of it. Asks for som tion to enable him to support his family.

December 31, Treasury Chambers. Harrison to Goulburn. In order to prevent any future dissatisf among the Indian tribes respecting their stores, asks that the Tr be furnished with particulars of the complaints.

No date. Notice to His Excellency on the want of King's Council to res the several districts.

No date. P. Selby, Receiver General. Certificate as to the date of the pa of the circuit expenses.

No date. Memorandum, unsigned, respecting the fees and Mr. Firth's co and asking that the unofficial document before presented to the tenant-Governor should be entered in the Council books as an document and an answer to Mr. Firth's reproach on the Boa Audit.

LIEUT.-GOVERNOR R. H. SHEAFFE, LIEUT.-GOVERNOR. F. DE ROTTENBURG AND MISCELLANEOUS—1813.

Q. 317.

1811. tober 24, rk.

Address from some inhabitants of Upper Canada, stating their satisfaction at the removal of Gore. Page 177.

1812. vember 23, rt George.

Sheaffe to Prevost. Fire was commenced on Fort Niagara on the 21st inst. Enclosing a report of the events of the day. The advantage, though not so great as might have been expected, is on our side. Captain Fry, an old half pay officer, was killed while collecting shot, as he said to send back to the enemy. A private in the 49th was also killed. The enemy's expenditure of ammunition was very great. Has observed two of the enemy's camps, one at Schlosser and the other at Black Rock. The greatest number of troops are said to be near Buffalo. Has sent Indians to watch their movements. Colonel Bisshopp commands that flank instead of Major General Shaw, who returns to his duty as Adjutant General of Militia. The number of Militia in the field has considerably increased since the notice of the termination of the armistice. 3

Enclosed. Report of Christopher Myers, Lieut.-Col. acting, Quartermaster General, and commanding Fort George. 7

vember 23, ippawa.

Sheaffe to Prevost. Early in the morning of the 28th inst., an attack was made by the enemy on our batteries opposite Black Rock. At first their superior numbers overcame us, but reinforcements arriving they were forced to retire. He (Sheaffe) went up on receiving notice of the action and found the enemy in great force and making a display of it, evidently to give effect to the summons sent to Col. Bisshopp to surrender Fort Erie. Is now at this post, as it is a central situation for receiving news. Captain Fitzgerald, 49th Regiment, was employed to carry Lieut.-Col. Bisshopp's answer to Black Rock, where he saw Brig. General Smyth, who showed him the large force there. Has not yet received the official report and returns from Lieut.-Col. Bisshopp. He and his officers deserve high commendation. Lieuts. King and Lamont of the 49th were early disabled. 11

ember 1, schman's ek, near rt Erie.

Cecil Bisshopp, Lieut.-Colonel commanding, to Sheaffe. Report of the affair with the enemy on the 28th November near Fort Erie. 14

Enclosed. Return of the killed, wounded and missing. 22

1813. uary 1, anford ll.

Wm. Brock to Goulburn. Thanks for the liberal manner in which he and his brothers have been treated. 175

uary 14, ndon.

John Mills Jackson to Bathurst. Having been entrusted with an address to the Prince Regent from the inhabitants of Upper Canada, forwards the same and requests it may be laid before the Prince. 176

uary 15, rt George.

Sheaffe to same. Transmitting duplicates of his despatches to Prevost of 23rd and 30th November. 2

uary 25, dwich.

Henry Procter, Colonel commanding, to Sheaffe. Account of the engagement at French Town. 25

Enolosed. Return of the whole of the troops, Regulars, Militia, Marine and Indian Department engaged in the action at French Town, with number of killed and wounded. 31

List of the officers in the action. 32

Return of arms, ammunition, &c., taken from the enemy. 34

Return of the prisoners of war taken. 36

1813.

February 14, Fort George. Sheaffe to Bathurst. (No. 2.) Transmitting copy of a despatch from Colonel Procter, commanding at Detroit, reporting his defeat of the Americans under Brigadier General Winchester, at French Town, on the River Raisin. The gallant conduct of Procter and his little corps entitle them to the highest commendation. The enemy quiet in the vicinity. The Legislature to meet on the 25th inst. Page 2

February 17. John Franklin to Goulburn. Respecting the salary of Mr. D'Arcy Boulton. 18

February 18, Stamford Hill. Wm. Brock to Castlereagh. Enclosing two letters from Sir Isaac's Aide-de-camp, one from an inhabitant of Montreal, and the address of the Executive Council to his (Major General Brock's) successor, all of which go to show the general opinion entertained of the late gallant officer. 20

Enclosed. Extracts of letters from Major Glegg to Wm. Brock, the first dated 14th October, 1812, and the second the 25th of the same month. 203, 20

Letters from Isaac Todd, Montreal, to Wm. Brock. 20

Address of the Executive Council. 21

(In Castlereagh's of 3rd March.)

February 22, London. Eliazar W. Phelps to Bathurst. Urging that attention be given to the memorial of the Rev. Davenport Phelps. 18

March 1. C. B. Wyatt to same. Enclosing memorial, and asking that his hard case be considered. 18

Enclosed. The memorial addressed to the Prince Regent and asking that inasmuch as he was suspended from office without any just cause, he be reinstated and paid arrears of salary or such other compensation as may be considered proper. 19

March 1, London. Col. Fitzgerald to Castlereagh. Transmits accompanying papers from Wm. Brock and urging that he be given some active employment, for which he would willingly resign his pension. 201

(In Castlereagh's of 3rd March.)

March 3. Castlereagh to Bathurst. Enclosing note from Col. FitzGerald, M.P. for the County of Clare, with the accompanying papers from Wm. Brock, eldest brother of Sir Isaac, and recommending them to Lord Bathurst's favourable consideration. 200

(Enclosures calendared at their respective dates.

March 8. H. J. Boulton to —— (Bathurst?) Asking for the situation left vacant by the decease of the Attorney General of Upper Canada. 214

March 13, York. Sheaffe to Prevost. The Legislature will close this day. Some of the amendments to the Militia Act promise some benefit, others are doubtful. Has directed a copy of the titles of the Bills passed to be transmitted with this letter. An Incorporated Militia is to be formed with a bounty of eight dollars. Asks for an addition as that sum is not sufficient. 95

March 15, York. Same to Bathurst. (No. 3.) The Legislature assembled on the 25th of February, and prorogued on the 13th inst., being the second Session of the Sixth Parliament. Encloses speeches, &c. 37

Enclosed. Speech by Sheaffe on the opening of Parliament. 39

Answer by House of Assembly. 43

Answer by Sheaffe. 48

Address of the Legislative Council in answer to the President's speech. 46

Answer by Sheaffe.

Address from the House of Assembly to the President (Sheaffe) on accession to the Government of the Province and on his success in re ling the attempts of the enemy.

Answer by Sheaffe.

1813.

Speech by Sheaffe on prorogation. Page 60
Schedule of the laws passed. 63
Explanatory remarks on certain Acts passed. 66

ch 15, Sheaffe to Bathurst. (No. 4.) In compliance with a request from the
c. House of Assembly expressed, in the enclosed speech, encloses an address from that body to the Prince Regent, asking that he would grant some of the waste lands in Upper Canada to the family of the late Major General Brock, to keep the name alive in the Province. 70

Enclosed. Speech. 72
Address to the Prince Regent. 74

ch 16. L'Abbé de la Trappe to Liverpool. (In French.) Asking for lands, provisions, and a free passage into Upper Canada for himself and his followers, if that is not possible, a passport to go to the borders of the Mississippi. 216

Enclosed. The memorial. 218

h 16, Sheaffe to Bathurst. (No. 5.) Enclosing a memorial and accompanying papers from Thomas Ridout. Recommends the petition. 78

Enclosed. Memorial of Thomas Ridout, Surveyor General of Upper Canada,. for the suspended moiety of his salary from 30th May to 24th December, 1810, with the accompanying documents. 80 to 85

1 17, Sheaffe to Bathurst. (No. 6.) Transmitting abstract from the Docket Books of the Auditor General, of grants of lands in Upper Canada. 87

1813.

ABSTRACT from the Auditor's Docket Books of Grants of Land in Upp Canada, which have passed the Great Seal of this Province, t tween the 1st January and 31st December, 1812.

Counties.	Number of Grants.	District.	Number of Acres.	Total Number of Grants.	Total N of Acr Grant
York	89	Home.	18,456¾	89	18,4
Durham	10	Newcastle.	2,000	23	5,9
Northumberland	13		3,950		
Lincoln	29	Niagara.	6,800	29	6,8
Glengarry	5	Eastern.	1,030	36	(Sic). 6,4
Dundas	1		200		
Prescott	2		600		
Russell	16		3,200		
Stormont	12		6,406		
Grenville	39	Johnstown.	7,180	84	16,7
Carleton	—				
Leeds	45		9,528		
Essex	6	Western.	1,102	9	4,0
Kent	3		2,920		
Middlesex	12	London.	7,594	30	13,9
Norfolk	8		1,800		
Oxford	10		4,200		
Frontenac	12	Midland.	1,210¾	40	9,2
Hastings	8		1,600		
Lennox and Addington	7		824		
Prince Edward	13		5,650		
			Total...	340	81,6 (Sic.

Errors excepted.

(Signed) P. SELBY,
Auditor General.

Page

March 18, York. Sheaffe to Bathurst. With grateful acknowledgements of the hon conferred on him by the Prince Regent, who has created him a baro

March 18, York. Same to Prevost. Has offered an addition of ten dollars to the bou granted by the Legislature of Upper Canada to volunteers for the In porated Militia. Thinks the state of the Province will justify his hav done so without waiting for an answer to his application.

March 18, *Fort Erie.* Cecil Bisshopp, Lieut.-Colonel, to Vincent. An account of a ca commenced by the enemy against the Fort on the morning of

inst. Our loss is only one killed and seven wounded. All behaved gallantly. Page 102

Enclosed. Return of the killed and wounded. 105

Sheaffe to Bathurst. The various documents connected with the late session which are preparing for transmission will no doubt be very satisfactory as showing the spirit of unanimity and patriotism which has governed that body. The means at their disposal being so small they could only vote eight dollars as a bounty to each volunteer for the Incorporated Militia. The sum being much too small, he transmits copies of letters to Prevost asking for further aid. Intends to recommend the Incorporated Militia for grants of land. 92

John Vincent, Brigadier General, to Sheaffe. Enclosing letter from Lieut.-Colonel Bisshopp, commanding at Fort Erie, with an account of a cannonade on that Fort and a list of killed and wounded. Has since been at the Fort and found all quiet. 100

(Enclosures calendared at their respective dates.)

Sheaffe to Bathurst. Transmitting copies of despatches which have been forwarded to his Excellency, reporting a cannonade on the right of our line on the Niagara Frontier, on the 17th instant. Brigadier General Vincent is of opinion that it was a mere St. Patrick's day frolic. 99

Same to same. (No. 7.) Letter authorizing an increase of salary to Mr. Givens and a grant of land to Mr. Selby, received. 106

Same to same. (No. 8.) Letter notifying the appointment of Edwin Bowen to be Attorney General of the Province, received. 107

Same to same. (No. 9.) Enclosing report of the Executive Council on the memorial of Mr. Davenport Phelps. The opinion is unfavourable. 108

Enclosed. The report. 109

Gore to Goulburn. States in reply to letter of 30th March, that two hundred acres of land in Upper Canada is the quantity usually granted to persons of the description of those whose names are subscribed to the papers accompanying the letter, the fees to be paid by the public. The practice of giving provisions has been discontinued for some years. The emigrants with the Count de Puisaye were the last to receive this indulgence. The liberal grants of land to Loyalists, disbanded soldiers, &c., caused jealousy. Should the petitioners be allowed free passages and provisions for a time after their landing it would lessen the favour shown to the original Loyalists, &c. 221

Sheaffe to Bathurst. Hopes to return to Fort George in a few days. Wishes before leaving this place to see it put in a better state to resist the attacks of the enemy which are expected in the spring. The American flotilla at present locked up in the ice at Sackett's Harbour. To destroy the ship building here would be a great object with them. Last intelligence of Procter was dated 21st March; at that time, General Harrison, with about 2,000 men were entrenched at the foot of the rapids of the Miamis. Part of the 41st have been sent to Procter since his defeat of Winchester. Has reports of Captain Roberts, commanding Michillimackinac, to the 19th March, he had received information of the advance of 4,000 Americans under General Clarke up the Mississippi, with the design of gaining Lake Michigan. The Sioux and other tribes have declared their intention of vigorously opposing them. Mr. Robert Dickson, whose influence with them is great, has probably joined them. 114

Same to same. (No. 10.) Letter enclosing one from Mr. Wharton with another from the Deputy Storekeeper General, reporting the shipment of stationery for the Indian Department received. 117

1813.

April 7, York. Same to same. (No. 11.) Letter of 16th November received. Measures have been taken to communicate both to the Loyal inhabitants and to the faithful Indians the gracious approbation it conveys. Page 118

April 7, York. Same to same. (No. 12.) Acknowledging circular letter of 16th November, containing instructions concerning the disposal of coin or bullion found on American vessels. The letter referred to of 12th September not received. 119

April 7, York. Same to same. (No. 13.) Acknowledging letter of 24th November, with copy of one of same date from Harrison, together with copies of the enclosures therein referred to, respecting the returns of American property taken on foreign stations. 120

April 10. Wyatt to same. Asking that some steps be taken in respect to his letter of 1st ultimo. 228

April 10, Verdun. John R. Small to same. Mr. Boulton's liberation gives him a safe opportunity for forwarding a letter from Mr. Bond, hoping even at this late period he (Bond) will get the redress he prays for, if he appears unworthy it is from no fault of his own, but from the shameful neglect with which His Majesty's orders were treated by Mr. Gore, then Governor of Upper Canada. Refrains from saying more or entering into the details of the oppression and cruelty with which he had treated some individuals. Sees no brightening of the prospects of his release, and is quite in the dark as to his father's affairs, therefore forwards a statement of the grievances he was groaning under when he left Canada to endeavour to obtain justice for his father, but was taken prisoner on the way across. Asks for all assistance in his endeavours to relieve him, an old man of 70, and his wife and child, from whom he is separated while wasting his life in a useless capivity. 229

May 5, Kingston. Sheaffe to Prevost. Detailing the circumstances relating to the surrender of York on the 27th ultimo. 133

Enclosed. Terms of the capitulation entered into. 137

List of killed, wounded, prisoners, and missing. 140½

Extracts from letters addressed to Prevost by Sheaffe, dated 29th March and 5th May, 1813, explaining his detention at York. 144

May 5, Kingston. Same to same. Detailed account of the capture of York. 150

May 10, London. Memorial of Eleazar W. Phelps, asking for a township in Upper Canada, on condition that he settle the said township and on any other conditions it may be thought proper to impose. 253

May 12, Kingston. Sheaffe to Bathurst. Acknowledging letter of 15th December, covering one from Wharton, with its enclosure respecting grant of land to Mr. McGillivray. The instructions will be complied with as early as possible. 121

May 13, Kingston. Same to same. Regrets to have to state that the money in the Provincial Treasury fell into the enemy's hands when he obtained possession of York. The amount was about £2,000. Mr. Selby was insensible at the time from the illness to which he soon afterwards succumbed. 122

May 13, Kingston. Same to same. Hopes there may be no difficulty about the payment for the house in York bought for public offices from the representatives of the late Chief Justice Elmsley. The Government House, that in which the Legislature assembled, and two block houses were destroyed by the enemy. 123

May 16, Kingston. Same to same. Explanation of the causes of the extraordinary increase in the expenditure of the Province. 126

May 17, Kingston. Same to same. Enclosing copy of a letter which he had addressed to the Treasury on Mr. Selby's decease and Mr. McGill's appointment. 128

(Enclosure calendared at its proper date).

1813.

17, ston. Same to the Treasury. Mr. Selby, the Receiver General of this Province having died on the 9th inst., he has appointed Mr. John McGill to fill the position till further instructions. Recommends that he be chosen to fill the post. Page 129

18. ston. Same to Bathurst. Transmitting copies of a letter with its enclosures relating to the affair at York on the 27th ult., together with extracts of letter explaining his detention at that place. 131

3, Office. Lord Palmerston to Goulburn. The Prince Regent approves of the proposition of granting £200 a year to each of the four surviving brothers of Sir Isaac Brock. 236

11, ford Wm. Brock to Liverpool. Bringing to his mind his (Liverpool's) intimation in the House of Lords that an address would be proposed as a monument to his late brother. Does so in case it might slip from his memory. 237

15, ston. Letter from the resident members of the Executive Council of Upper Canada to Sheaffe, congratulating him on the way he has fulfilled the duties of his position. 159

Enclosed. Sheaffe's answer. 161

16, ston. Sheaffe to Bathurst. Recommending Samuel Smith, to fill the vacancy caused by the death of the Hon. Alexander Grant. 147

17, ston. Same to same. Transmitting copy of his report to Prevost relating the capture of York by the enemy. Major General de Rottenburg being ordered up to this province and being senior to him will take command. He (Sheaffe) will assume the command of the Montreal District as directed. Transmits also copies of a letter addressed to him by the resident members of the Executive Council and his answer thereto. 148

(Enclosures calendared at their respective dates.)

17, ham Memorial of Sarah Margaret Clarke, daughter of the late Captain John Clarke, of the 59th Regt., to Bathurst. For an increase of income. 239

19, ston. Francis De Rottenburg to same. Has assumed command of the forces and the administration of the Civil Government. Encloses copy of a proclamation issued on his taking the oaths of office. 163

Enclosed. The proclamation. 164

19, ston. De Rottenburg to Richard Wharton. Has this day assumed the administration of the Civil Government of the Province. 251

22, on. E. W. Phelps to Goulburn. Having been informed that a report from the Executive Council of Upper Canada on the memorial of Rev. Davenport Phelps has been received, asks for a copy with a statement of the fees for the same. 241

29. Robert Eyre to same. Asking for information on the subject of the returns from Upper Canada respecting grants of land promised to himself and several relations. 242

10, Head ers, 12, Cr For Cr re. De Rottenburg to Bathurst. Acknowledging the following letters: 1st. Dated 2nd February, respecting certain alterations in the Order in Council concerning the sale of ships taken from enemies or neutrals. 2nd. Dated 26th March, announcing the death of the Duchess of Brunswick. 3rd. Dated 26th March, with a form of prayer for the Prince Regent. 4th. Dated 5th February, signifying approval of the Acts passed by the Legislature in March, 1812. 166

10, Head ers, 12, Creek, Fort re. Same to Goulburn. Acknowledging letters addressed to Sheaffe, accompanied by a copy of of an estimate upon which the House of Commons has voted the sum of £8,441 for the Civil Establishment of the Province for the present year. 168

st 2, port Board of Transport to Harrison. Indian stores and cordage for the naval service will be shipped without loss of time. 246

st 3, ury bers. Harrison to Goulburn. Having laid before the Commissioners of the Treasury his letter of 9th June last, disputing the payment

August 30, London.	D'Arcy Boulton to Goulburn. For an extension of leave.
September 15, Treasury Chambers.	Arbuthnot to same. Transmitting letter from Major Gener Rottenburg stating ,that in the absence of the Lieut.-Governor of U Canada the Civil Government has devolved on him.
October 3, Camp, Four Mile Creek, near Fort George.	De Rottenburg to Bathurst. Acknowledging despatches addres Sheaffe, to which due attention shall be paid.
October 3, Camp, Four Mile Creek.	Same to Goulburn. Acknowledging letter addressed to Sheaffe a Gazette extraordinary, containing an account of a glorious victory Vittoria, obtained over the French armies in Spain by the forces u Wellington. The news cannot fail to please this colony.
October 11, Treasury Chambers.	Harrison to same. Transmitting report of the Comptroller of A Accounts on a letter from Sheaffe, with the public accounts of U Canada for the half year ending 30th June, for Lord Bathurst's op thereon.
October 25, Kingston.	De Rottenburg to Bathurst. Acknowledging letter of 9th Au The list of titles of all the Acts passed by the Legislature of the vince and also a complete collection of all the laws will be forwarde soon as possible. These documents will not probably be ready till the close of navigation. Causes of the delay.
November 18, Hampton.	Memorial of Sarah Margaret Clarke to Bathurst. Praying for a crease to her allowance.
No date.	Memorandum on sale of lands.
No date.	Memorandum on the Militia of Upper Canada.

REPORT

ON

CANADIAN ARCHIVES

BY

DOUGLAS BRYMNER, LL.D., F.R.S.C.

ARCHIVIST

1894

(Being an Appendix to Report of the Minister of Agriculture.)

PRINTED BY ORDER OF PARLIAMENT

OTTAWA

PRINTED BY S. E. DAWSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY

1895

No. 8A—1895.] *Price 40 cents.*

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REPORT ON CANADIAN ARCHIVES.

DOUGLAS BRYMNER, LL.D., F.R.S.C., ARCHIVIST.

Honourable A. R. ANGERS,
Minister of Agriculture,
&c., &c., &c.

SIR,—I have the honour to present the report on Archives for 1894.

Transcripts of the State papers in London continue to be received. Those sent since the last acknowledgment contain the succeeding years of Lord Dalhousie's administration, that of Sir James Kempt and a portion of that of Lord Aylmer, down to December, 1831, for Lower Canada. These deal with questions of settlement, the political state of the province, and other matters of interest. For Upper Canada, the transcripts are continued from 1829 to the end of 1832, but the land transactions with the Canada Land Company, the proposed charter and negotiations for the acquisition of the clergy reserve lands, take in the years 1824, 1825 and 1826. The transcripts are carefully checked here and explanations asked respecting doubtful points or apparent errors, so as to secure absolute correctness. An additional instalment of the papers copied in Paris has been received; a list of their contents will be found in the report on Archives for 1885.

Inquiries both personal and by letter continue to be numerous, and every care is taken to attend to the requirements of investigators and correspondents; the catalogues and indexes to the documents greatly facilitate the work rendered necessary by these inquiries. The demand for the reports remains unabated, and the importance attached to them is manifested in many ways, not the least being the frequent references made to them in historical works as an authority in the settlement of disputed questions. A reference to the list of books and documents presented will shew the widespread interest that is felt in the work.

As the work of copying the state papers in London respecting the old provinces of Canada was approaching completion, the date to which they could be made public having been fixed to the end of the period immediately preceding the union of the two provinces into the Province of Canada, I was instructed by the Hon. John Carling, then Minister of Agriculture, to proceed to London for the purpose of examining the documents relating to the other provinces and of arranging for their transcription. I reached London on the 18th October, 1892, and in carrying out the instructions, I lost no time on my arrival in entering upon the work, which required close application and examination. I found papers scattered in various departments; of those deposited in the Public Record Office there are several series; the division made many years ago of these papers has not always been judicious. Papers relating to Prince Edward's Island (originally St. John's) are among those relating to the Virgin Islands, one of the islands in that group being called St. John; many of those

relating to New Brunswick are among the St. John (P.E.I.) papers, from being dated at the city of St. John; some are among Massachusetts papers, some in Plantations General, some in the series relating to America and the West Indies, among the papers concerning the Bahamas and in other collections the most unlikely to contain documents having relation to the Canadian provinces; volumes of correspondence are in the Colonial Office, chiefly duplicates, but containing letters not in the other collections; all, however, had to be examined. The British Museum contains Mascarene's correspondence and other papers relating to Nova Scotia; the Archbishop of Canterbury gave a most gracious permission to examine the correspondence at Lambeth Palace and there, in the rooms of the Society for the Propagation of the Gospel and in the mission rooms of the Movavians, or United Brethren (Unitas Fratrum) were found documents relating to the early ecclesiastical history of the Provinces. I had also access to the papers in possession of Lord Dartmouth in which are documents not to be found elsewhere. Inquiries were also made at the War Office on various points and at the Office of the Secretary of State for Scotland in relation to the early Acts of the Scottish Parliament respecting Nova Scotia.

Mention of the earnest desire to be of service on the part of the authorities to whom I had the duty to apply, cannot be omitted, but where all were courteous, obliging and helpful, it would be invidious to particularise.

In order to reduce the mass to regularity, I have arranged the whole on a strictly chronological system, no matter in what series the document might be found. The papers will thus follow each other in consecutive order, so that there will seldom be occasion to refer to the page for any document of which the date is known. The system it is proposed to follow was pointed out verbally to the superintendent of the copyists, but carefully prepared instructions as to the method to be pursued, shall be sent to be placed on record. Another effect of the chronological order will be to ensure that duplicates are not copied, thus saving a considerable expense. In order to facilitate the investigation of those who may desire to consult the original documents, and are in a position to do so, the series, whether one or several, from which each transcript is made, will be entered at the head of each document, with the marks indicating the series and volumes and the pages, where the volumes are paged.

Calendars of all the provinces have been prepared and are ready for the printer, but in accordance with your instructions to avoid too great a bulk, only the calendar of Nova Scotia is published in this report, but as it covers nearly two centuries, from 1603 to 1801, it is necessarily of some extent. The preliminary report, for the same reason for restriction, is as concise as possible. With respect to the documents calendared for the other provinces, Prince Edward Island, originally and at the date of the disjunction called St. John's Island, was separated from Nova Scotia in 1769, but Lord Egmont's proposals for a feudal tenure in 1763 and 1764, so closely relate to the island and to it alone, that although it was then, and for a few years after, under the jurisdiction of Nova Scotia, it has been thought judicious to incorporate Lord Egmont's proposals with the papers which relate to Prince Edward as a separate province; New Brunswick and Cape Breton became separate provinces in 1784, although the latter was again annexed to Nova Scotia in 1820, the papers relating to Hudson's Bay begin in 1673, about three years after the charter to the Company of Adventurers trading to Hudson's Bay was granted, and extend to 1750, *but they are* comparatively few in number.

Into the early disputes respecting the ownership of the territories now forming the Dominion of Canada, it would be obviously out of place to enter. The French on the one hand and the English and Scotch on the other advanced their claims on the ground of prior discovery and settlement, but all such arguments seemed to resolve themselves into the old method, "that he should take who has the power and he should keep who can." The abortive attempt to settle Sable Island, the fate of the unfortunate criminals left on that sand bank by De la Roche, with the intention of taking them back to France, and other incidents of the early attempts at colonisation have been so fully dealt with, from Charlevoix downward, that it is superfluous to add anything on the subject, previous to the date of the first document in the calendar.

In November, 1603, a patent was granted by the King of France to de Monts for the settlement of La Cadie, Canada, &c. The derivation of the name Cadie or Acadie is very obscure, no two writers, who have made original researches, agreeing on the point. The powers granted to de Monts were very extensive and of these he appears to have made full use. The effect of this was to arouse the inhabitants of various sea ports in France, on whose representations much of his powers was curtailed and his affairs were reduced to a low ebb, although he still persevered in his efforts, but turned his attention to Quebec and vanishes from the history of Nova Scotia.

The first real settlement made by the French was in 1604 on an island in Passamaquoddy Bay, but so great was the mortality during the winter that another place had to be sought for and Port Royal, now Annapolis, was fixed upon next year; this appears to have been the first permanent settlement made by the French on this side of the Atlantic.

The early papers respecting the grant of New Scotland, so called in contradistinction to New England, but translated into Nova Scotia, the name by which it is now known, in the patents of 1621 of James VI. of Scotland and of 1625 by Charles I., are not numerous among the English papers, the country having been annexed to his Scottish possessions by James VI. Information had, therefore, to be sought for largely among the Scottish records. From these it would appear that Sir William Alexander, afterwards created Earl of Stirling, was more engrossed with the business of trading than with plans for the settlement of the extensive grant with which he had been endowed. By the establishment of the order of Knights Baronets of Nova Scotia, on the model of a similar order in Ulster for the settlement of the North of Ireland, the settlement became subsidiary to the raising of money by the sale of titles, the holders of these being released on the payment of not very considerable fines from the obligation of sending settlers and provisions to the proposed colonies. Much information on this subject may be obtained from a volume published in Edinburgh in 1867, entitled "Royal letters, Charters and tracts "relating to the Colonization of New Scotland and the order of the institution of "Knights Baronets of Nova Scotia, 1621 to 1638." It contains copies of the original letters, orders, &c., from Kings James and Charles, claims of de la Tour, with notes on the claims of the Crown and Temple families and reprints of pamphlets. One on Newfoundland dated 1620, by John Mason, is an entirely different pamphlet from that published by Richard Whitbourne the same year. The latter (a copy of the original is among the archives) is dedicated "to the high and mightie Prince James, by the Grace of God King of great Brittaine, France and Ireland, Defender of the

Faith, &c.," and was printed in London by Felix Kyngston. The former dedicated "To the Right Worshipfull Sir Iohn Scott *of Scots-Tarvet*, Knight, &c., and printed in "Edinbvrgh" by Andro Hart. The other reprints in the volume besides Mason's, are "Mapp and Description of New England," with map showing the St. Lawrence, the Saguenay, &c., the date 1630, with a subhead "An Encouragement to Colonies," and Lochinvar's pamphlet of 1625, for the settlement of "Cape Briton now New Galloway." Reference may also be made to the "Earl of Stirling's Register of Royal Letters," privately printed in Edinburgh in 1885.

On the 10th of March, 1627, a license was granted by Charles I. to Sir W. Alexander to send off a vessel called the "Eagle," of 120 tons, loaded with stores for Nova Scotia to be accompanied by a consort of 300 tons, then at Dumbarton, on the Clyde, "without paying custome, subsidie or any other duetie and free from any "other lett or impediment." Alexander's creditors had, however, an objection to the sailing of his ships until their demands were satisfied and seized the "Morning Starre" then in Dover roads ready to sail. He applied to Nicholls, Secretary to the Admiralty, to intercede with his creditors for the release of the ship, otherwise "the staye whereof will be the overthrowne of this voyage," but the papers do not show the result of the application.

The claims of various individuals to the possession of what is loosely called Acadia down to the end of the 17th century, may be simply referred to, as to enter into the question of these claims would involve an amount of detail that would occupy too much space. A summary of the changes in proprietorship from 1621 downwards to 1730 is printed in full in the report on Archives for 1886 at Note B. p. cliv; reference may also be made to the present calendar which indicates the papers showing among other things the decisions on different occasions of Cromwell respecting the transfer to de la Tour.

In 1629, the brothers Kirk, or Kirke, called Kertk by Charlevoix and succeeding writers, captured Quebec, but it was restored to France under circumstances stated in previous reports. It seems probable that the claims and counter claims in 1630, noted in the calendar, arose out of that capture. The Kirks maintained for many years a claim for damages consequent on the restoration to France of their conquests and on the confiscation of their property; a case undated, but probably prepared and transmitted about 1683, shows the arguments on which their right to the territories of Nova Scotia and Quebec was supported; its publication will make the points relied upon clear. The document is among the series of Colonial State Papers, Plantations General, vol. 66, and is as follows:

"THE KIRKS CASE.

"It is very well known in History, that before the yeare of our Lord 1497, one "Sebastian Cabot, a Venetian borne, being Pilot Major to King Hen. 7th, was in "that quality employed by the King to make discoverys upon the Coast of America, "and that He first discovered Newfound Land itself and took possession thereof for "the use of the King (though the ffrench since have usurped upon it) and also "entrd into the Gulph of St. Lawrence, and the great River of Canada as farr as "Tadusac and Quebec, and claymed all that Territory, as first possessor for the "Crowne of England, no other Christian nation having before that time ever visited "those parts, nor for above 100 years after frequented them.

"But in the yeare 1600: some of the ffrench Nation, having got some light concerning the value of the Traffique of that Country, undertook an Expedition in

the Gulfe of Canada, and notwithstanding the long and uninterrupted possession of the English, and the Peace at that time established between the two Crowns, they seized by force of Arms upon that Tract of land on the North side of the River Canada, and in the year 1604: by like force possessed themselves of the South Side of the River, naming the whole Nova Francia, and held the Possession thereof until the year 1621, when King James taking notice how unjustly and contrary to the Law of Nations the french had Invaded and taken possession of that country, He by his letters Patente granted unto Sr William Alexander of Scotland (who was afterwards Earl of Sterling) all the land on the South side of the River, which was then called by the ffrench L'Accadie, giving it the new name of Nova Scotia, and by virtue of that Grant he undertook an Expedition thither, and by force rendered himself Master of that Country, and planted a Colony there and kept it above two years, but upon the treaty of marriage with the late Queen Mother, that part of the Country was returned to the possession of the ffrench, and Sr William Alexander had a Grant of 10,000 lbs. under the Greate Seale of Scotland for his satisfaction.

"But afterwards in the year 1627 and 1628 there being a Warr betwixt the two Crowns, one Sr David Kirk and his brethren Sr Lewis and Mr. John Kirke now Sr John Kirke, and severall of their ffriends and Relations encouraged by Letters of Mart, and the commission of King Charles the First, did sett forth in ships at an Expense of above 40000 lb. for the regaining of those Countrys, who having succeeded in their Enterprize and taken Quebeck on the North side of the River of Canada and the 3 principall Forts, called Port Royall, St Jean and Pemptacoet on the South side thereof, and Layd out a great Sum in repairing the said fforts, and possessed themselves of the Whole Country, both on the one and the other side of the River of Canada, They left Nova Scotia to Sr William Alexander (who had assisted in the retaking of the whole) and retained the Country on the North side of the River of Canada to themselves, for which successful undertaking (though it was, as has been said, acted in time of Warr) the s^d^ Sr David Kirk and his Brother Sr Lewis were executed in Effigie at Paris.

"But a Peace being afterwards in the yeare 1632 concluded between His Mat^y^ and Lewis the 13th King of ffrance, at which time there was a Considerable Part of the Queens Dower unpayd to Expedit the Paym^t^ thereof, it was agreed that the whole Country should be restored to the ffrench again, but there was a Particular Article agreed upon in favour of the Kirks who had been at that vast expense in the recovering thereof to the obedience of the Crowne, that they should have about 5,000 lb. Sterl. payd them by one Monsr de Cane, into whose hands the sayd fforts and Countrys were to be resigned for the Use of His Most Christian Mat^y^.

"But the ffrench having in Pursuance of the Articles of the Pence obtained from the English the Possession of the Country never payd any Part of the 5000 lb though that was a condition upon which it was delivered up, but instead thereof (after the Peace concluded) the Kirks having by the Kings authority sent out a Vessell to Trade in the River of Canada, She was sett upon by the ffrench and severall of her men being killed, the Vessell and Goods were taken by force and Carryed into ffrance and there confiscated by a fformall Process, whereby the Kirks sustayned a further Losse of above 12000 lb for which, though satisfaction was instantly demanded by the Lord Scudamore, who was then Ambassador at the Court of ffrance, and severall years chargable Sollicitations afterwards of the Kirks themselves, yet no reparation could ever be obtained.

"But in the Yeare 1654 in the time of the Usurpt Powers Consideration being had of the non performance of the Articles upon which Canada was surrendered and of the Palpable Injury and injustice done to the Kirks and those concerned with them Cromwell sent out 3 shipps under the command of one Major Sedgwick, who again recovered all Nova Scotia (or L'Accadie) into the hands of the English and in those hands it was found at the time of His Matie happy Restauration & continued so untill the yeare (67) when upon the Conclusion of that Peace it was againe Surrendered unto the ffrench.

"But the Territorys on the North Side of the s[d] River which belonged to the "Kirkes and which were delivered up to the ffrench upon the Terms afores[d] were "never mentioned in that Treaty, but the Kirks have still a *jus perpetuum* or Stand-"ing right thereunto, and if so, it may be plainly inferred that the King of ffrance can-"not have so much as a Right of Dependency (whatever he may have of Bienseance "or Conveniency) to the Lands and Territorys which are continuous thereunto and "lye behind it further North above Hudson's Bay, which were first discovered and "possessed by the subjects of this Crown and never pretended to by the ffrench till "Mons[r] de la Barr by His letter of 7th November 1682 hath taken upon him to set "up by a pretended Title thereunto for the King His Master."

The papers from the year 1655 down to 1667, the date of the treaty of Breda, confirm the statement in the preceding document that under Cromwell Nova Scotia was taken from the French and retained. The proposed surrender by the treaty of Breda did not pass without protest on the part of Scotland and of New England and the retention by France of St. Christopher delayed the transfer of Nova Scotia, so that it was not till August, 1669 that the final order for its surrender was given.

On the 10th of January, 1671, Temple wrote to the King that he had delivered up Acadia, but complained that places ordered to be surrendered were not in Acadia, but included all Nova Scotia and part of New England. For information respecting the two sides of the questions of the right of possession, the boundaries, &c., reference may be made to the *Mémoire des Commissaires du Roy*, 1755 to 1757, 4 volumes 4to; *Histoire Géographique de la Nouvelle Ecosse*, which contains an account of the disputes between England and France on the subject of the possession of that province, 1755; *Discussion Sommaire sur les anciennes limites de l'Acadie*, 1755; *La conduite des Francois justifiée*, 1756; *Mémoire contenant le précis des faits*, 1756; *Mémoires de M. de Torcy*, 1757, which gives an account of negotiations from the treaty of Ryswick (1697) to the peace of Utrecht (1713). Although the works cited relate chiefly to the treaty of Utrecht, the questions of discovery, settlement, &c., are exhaustively discussed from the period of first discovery.

Before the end of the 17th century (1674) a new party had entered the political field. The Dutch, having been driven from the Hudson, took from the French the forts of Penatscop and St. John (so called in the state papers; otherwise spoken of as Pentagonet and Jemseg), and left men there to trade; the Dutch government which stated this, complained to the British authorities that the people of Massachusetts had seized the forts and carried off the men found in them. The Secretary of the Council in a letter dated at Whitehall, the 11th February, 1676, was directed to prepare a letter to Massachusetts ordering the Governor to answer the complaints of the Dutch and a letter was accordingly prepared and sent on the 18th of the same month, but although repeated remonstrances were made by the Dutch, the last noted being on the 4th of August, 1679, no reparation was made to them so far as the papers show. Neither Hutchinson in his "History of Massachusetts," nor Wynne in the "General History of the British Empire in America" refers to this incident. Charlevoix says that it was an Englishman who had been lurking about the forts, who came with the crew of a Flemish corsair and captured them. In this he is followed by Ferland and Murdoch, but the warning of Louis XIV. to Frontenac, dated 17th May, 1674, to watch the movements of the Dutch (*Hollandois*) against Acadia and the State papers noted in the calendar leave no room for doubt that the force was Dutch not Flemish.

The fishery disputes were brought to an acute stage by the seizure of New *England* fishermen and their vessels, although they asserted they had received

censes from the French to fish off Cape Sable. The French, they asserted, not only aptured the vessels found fishing along the coast, but sent them with their crews France. In a reply received by the committee of Council in January, 1685, the act is admitted by the French and the prohibition to fish or carry on the fur trade reiterated. Two of the masters of the New England vessels sent to Rochelle, it as stated, having been found to have licences were ordered to be sent back and the essels restored; the vessels and cargoes of the others were confiscated.

In the attack by Phips on Port Royal and its capture in 1690, it was agreed hat the commander and garrison taken prisoners were to be sent to Quebec or rance; it was alleged that this agreement was not carried out and in reprisal Eng-sh speaking persons taken off the coast, or whilst engaged at Port Royal were sent to rance and held as hostages until the return of French prisoners, who, it was further leged, were still retained in captivity. These charges were denied and affidavits dged that no French prisoners were in Boston. There is some correspondence but e result is not shown in the papers.

By the treaty of Ryswick, of 1697, Port Royal was formally restored to France. 1702 Nicholson was ordered to return to Nova Scotia with two ships of war and ansports loaded with arms and stores for the defence of that province. A reference the calendar shows that the order was undated. That more than defence was un-rstood is evident from the report made by Dudley to the Lords of Trade on the th November, 1704, that on the expedition on the coast of Acadia, nothing was ft standing of four villages but the fort at Port Royal. In 1709 and the spring of 10 great excitement appears to have existed in New England, in respect to a roposed attack on Quebec, the general desire being rather to attack Port Royal rst, a desire shared by the governors and leading men of the New England colonies, t the refusal of the captains of the ships of war to take part in the expedition ithout orders from the Admiralty appears to have delayed the undertaking for the me. Nicholson was appointed on the 18th February, to command the expedition ainst Port Royal but it was some time before this and the definite postponement the expedition against Quebec were known on this side of the Atlantic. In the iddle of September the embarkation of the force for Port Royal took place and on e 1st of October, Nicholson summoned Subercasse to surrender, a capitulation ing agreed to on the following day. The copy in the Public Record Office is ted the 2nd; that in the British Museum the 13th, but the discrepancy probably ises from the difference between the new and old styles. Vetch was appointed overnor, a position which, it is charged, he used for his own personal profit. As it ould be impossible, within reasonable limits, to trace the succession of events, re-rence must be made to the calendar from 1710 onwards, the correspondence and her documents being, as already stated, in chronological order. The disastrous pedition to Quebec in 1711 belongs to the history of that province and must, erefore, be passed over in silence here.

The first reference to the disputes between the Acadians and the British autho-ties occurs in a letter dated 12th January, 1715, sent to the Lords of Trade by ulfield reporting his proclamation of the death of Queen Anne and the accession of orge I. For these disputes, the continued hostilities between the two nations, the rench at Louisbourg laying claim to the territory on the Bay of Fundy and St. hn River and fortifying it, with the expeditions to drive them off may be traced

in the calendar, which is as full as space allows. In the instructions to the Governor of Nova Scotia, a copy of which was sent by the Lords of Trade to the Lords Justices on the 19th June, 1719, he was directed to encourage inter-marriage with the Indians, in consequence of the weak condition of the province and the influence of the French, probably also because of the determined hostility of the Indians, who lost no opportunity of attacking the settlements, seizing fishing vessels and doing all the mischief possible. These hostilities, it was asserted by the Governors, were committed at the instigation of the French.

During this period, there are also reports on the applications for grants of lands from different persons and copartnerships, many of the names being those of men occupying prominent positions. Among these is that of a man not so well known as many, Thomas Coram, who established in the days of his prosperity the Foundling Hospital in London, in which he died in absolute poverty at the age of 83, having been induced, in order to save him from privation, to take refuge in the institution which he had founded. Many of the grants asked for were of immense extent, the ostensible object of all being the settlement of the province, but the settled policy of government seems to have been to discourage emigration from the British isles and to obtain the settlers from among foreign protestants.

Whilst peace existed in Europe between France and Britain, hostilities were continued in North America as if the two nations were at open war. In the spring of 1745, formal hostilities having been resumed in Europe in 1744, an expedition was sent to capture the fort of Louisbourg on Cape Breton, which was a standing menace to Nova Scotia and New England, and Shirley urged the matter on the legislature of Massachusetts with all the influence at his command. The task of capturing the fort was laborious, and the fatigues involved in preparing for the attack were very great; some account of these will be found in the preliminary report on Archives for 1886, to which reference may be made. It may be added that the garrison was in a state of revolt caused by the retention of part of the pay which they had been promised, that the provincials were brave but undisciplined and that the weight of metal for the defence of the fort so far exceeded that of the besiegers that but for the heavy guns of the ships of war it is doubtful if Louisbourg would have fallen. On the 18th May, in answer to a summons to surrender, De Chambon, the commander, refused to do so until after a most vigorous attack. Less than a month later (16th June) the place had fallen, which put an end to projected attacks on Annapolis and other parts of Nova Scotia. Louisbourg was held till, by the treaty of Aix-la-Chapelle in 1748, it was restored to the French. The promotions, arrangements for defence, changes in the governors and other dealings with the new acquisition will be found noted in the calendar. Events leading up to the deportation of the Acadians in 1755, and subsequent events relating to that subject, are also so fully noted in the calendar that it is not necessary to dwell on them; a careful study of the abstracts, with documents otherwise available, will enable a dispassionate inquirer to arrive at a fairly correct view of the situation of the two parties in the transaction.

The preparations for attack by both sides went on vigorously from the date of the capture of Louisbourg. On the one side it was proposed to attack Quebec, and on the other a harassing series of hostilities was kept up against Nova Scotia. On the 9th April, 1746, the Duke of Newcastle wrote to Pepperrell that five battalions under St. Clair had been sent for the reduction of Canada, giving orders at the same

me that Pepperrell's and Shirley's regiments were to be kept in Louisbourg whilst e expedition was in progress. During the winter of 1745–6 the mortality in the arrison was serious, 1,200 having died; those who survived till spring recovered d reinforcements had arrived, but the state of the fort of Louisbourg was very ad, repairs requiring an immense expense. By September these had been com-leted, but the garrison was again in a bad state of health, caused, it is supposed, y the bad water, and the mortality was great. The timely arrival of the French eet under d'Anville would, in the opinion of all the officers, have secured the ecapture of Nova Scotia, but a heavy gale off Sable Island wrecked some of the hips and scattered the others, so that when d'Anville arived at Chebucto, that is Halifax, but few of his vessels were with him, and he died, it is said, from grief at he loss of his fleet and at the report that heavy reinforcements had arrived for the upport of Nova Scotia. The early reports did not give intelligence of the sub-equent movements of the fleet, which it was reported was to winter at Chebucto nd fortify it, and Shirley wrote on the 7th October to Admiral Knowles that if the rench took Nova Scotia they must be driven out or they would become masters of he continent. It was on the 12th of November that Mascarene, writing to the ecretary of State, reported the fate of Destourmel, who succeeded d'Anville, and ecoming crazed committed suicide. In the same letter he reported the attack on, nd successful defence of, Annapolis and the retreat of the French fleet. In a letter f the 20th January, 1747, Admiral Knowles reports to the Secretary of State the onderful snow fall, which may be true but is very improbable. The passage is iven in full in the calendar. An examination of the calendar will show the ctivity on both sides in attack and defence, in the midst of which it is complained hat the traders of New York were supplying the French with stores, to the great urt of the other colonies.

It was on the 24th of May, 1748, that the Lords of Trade wrote to Mascarene hat preliminaries of peace had been signed at Aix-la-Chapelle. In spite of this, owever, the British officers complained that the French from Canada were still en-aged in hostilities in Nova Scotia and Mascarene reports on the 17th October, that y the cession of Louisbourg by the treaty the French will be in the same position at the beginning of the war and that from their experience they will take better easures to repossess themselves of Nova Scotia. For the correspondence with La alissonière and other French officers, see enclosures in Mascarene's letter of 30th ctober and onward. The settlement of accounts for the expenses of the war, for sses by the inhabitants and other claims ocasioned correspondence which will be und calendared, as well as proposals for settling the lands in Nova Scotia and rangements for shipping emigrants to fill up the lands; many of these emigrants re reported to be worthless, who were the most troublesome and mutinous.

Notwithstanding the peace, the correspondence shows that hostilities continued d that the French laid claim to the lands on the Bay of Fundy, had erected forts d were establishing settlements on the St. John River; Cornwallis asserts that ostensible attacks by the Indians were in reality expeditions sent from Canada, sisting chiefly of Canadians disguised as Indians. Cornwallis sent Cobb to at-k the Indians assembled at Chignecto preparing to march on Halifax, with in-ctions to arrest Le Loutre, the priest, for whose capture the crew was to receive , and a reward of £10 was to be given for every Indian prisoner or scalp taken. ference to the calendar for the year 1750, in relation to the settlements, obtain-

ing of emigrants and the continuous hostilities in Nova Scotia is all that can be said here, in view of the necessity for restricting the length of the report. Notice may, however, be taken of the appointment of Shirley and Mildmay to settle the boundary and other disputes with the French, the instructions to whom, which are undated, are placed at the end of the calendar for 1750, that being from internal evidence the proper place for them. Whilst peace existed in Europe war continued with vigour in North America and negotiations were carried on with the Indians to secure at least their neutrality, if their assistance to the British could not be obtained. During the course of the war, for it had really become so, the traders in the colonies, for whose defence so large an expenditure was incurred, were according to report by Cornwallis of 3rd November 1751 supplying Louisbourg with flour and other stores, without which it must have been abandoned, taking their pay in rum and molasses, which they smuggled into the provinces and thus evaded the duty. For some years the correspondence shows the efforts made for settlement, the revolt of the Germans at Lunenburg, the opening up of means of communication throughout the province and the constant conflicts with the French. On the 9th of August, 1754, the Lords of Trade sent to the Secretary of State a plan for the concerted action by all the colonies in America to resist the encroachments of the French, it being understood that as soon as they were fairly intrenched at Louisbourg they would attack and take possession of Nova Scotia, Lawrence, writing on the 12th of January, 1755, speaks only of their determination to make themselves masters of the Bay of Fundy.

On the 28th of June of the same year, Lawrence reported as the result of the expedition against the French, for which preparations had been actively carried on for some time, that the French fort of Beausejour had surrendered on the 16th of that month, after four days' bombardment, followed next day by that of Fort Gaspareau; on the 18th July, Lawrence wrote that the French had abandoned their fort on the St. John and demolished it, burst their guns, blew up their magazines and burned everything they could. On the 18th of October, he urged the necessity of building forts at Chignecto and on the St. John to secure them against future attempts of the French. During the progress of hostilities the question of calling together a House of Assembly was discussed, to which attention was directed by the Lords of Trade on the 25th of March, 1756, their Lordships holding that whatever the difficulties of calling an Assembly, such a step would be a less evil than the illegal passing of laws by the Governor and Council. The composition of the Assembly was pointed out in that letter, a landed qualification, however small, being considered requisite for both electors and elected, the general method of conducting business to be on the model of the Assembly of New Hampshire. To these proposals Lawrence objected representing on the 3rd November, 1756, that a House of Representatives would, at the moment, create heats, animosities and disunion, but the want of an Assembly was felt by the inhabitants of Halifax to be a grievance and was so represented in a memorial of the 10th of February, 1757. It was not before repeated complaints were made and emphatic orders sent by the Lords of Trade, that an Assembly was called; resolutions to this effect passed by the Governor and Council, it was complained by Belcher, had not been carried into effect. On the 9th of November, 1757, Lawrence refers to a letter from the Lords of Trade, that does not appear among the State papers, that he is glad to find that their Lordships agreed that the circumstances of the times operated against the calling of an Assembly, but

that if they so ordered it, he would not delay to have one convened. On the 22nd May, 1758, Lawrence reported to the Lords of Trade that he had made arrangements for an Assembly, which was to meet on the 2nd October and on the 26th September, he reported that he had received leave of absence from the army to attend the first meeting, which began on the 2nd October and lasted till the 17th of the following April, a delay of which Lawrence complains, and which he attributes to the jealousy of interference on the part of the Council.

The reference to the capture of Louisbourg in 1758 is so slight in the papers that it seems unnecessary to dwell on that important event in the history of Nova Scotia, which did not, however, at once secure peace to the inhabitants as the outlying settlements still continued to be harassed for some time after the surrender of Montreal in 1760 and before the definitive treaty of peace in 1763. Correspondence on the operations before Louisbourg is contained in documents among the Archives and in "*Collection de Manuscrits*," vol. IV. published by the Government of Quebec in 1885. The work of settling the lands, making roads and other improvements were in progress and the reports to the Society for the Propagation of the Gospel speak in hopeful terms of the advance made in the means of religious training. On the 9th of July, 1762, Belcher reported that the French had taken Newfoundland, a somewhat exaggerated account; on the 18th September following all the places taken were given up and by the treaty of Paris of 1763, section IV., France abandoned all pretensions to the territories of "Nova Scotia, or Acadia, in all its parts, and "garanties the whole of it, and with all its dependencies, as well as the Island of "Cape Breton, and all the other islands and coasts in the gulph and river St. "Lawrence," etc.

A memorial prepared by the Council was sent by Belcher to the Lords of Trade on the 25th August, 1763, calling attention to the correspondence by the Duke de Nivernois to induce Acadians to leave the Province and to place themselves under the protection of the King of France; the attempt to tamper with the Acadians was denied by Nivernois, a denial accepted as true and Wilmot wrote on the 2nd of June, 1764, that he had taken means to clear the character of the Duke de Nivernois and to rectify the mistaken notions of the French Acadians as to their dependence on France; in the letter of the 9th June of that year, Lord Halifax, then Secretary of State, wrote to Wilmot that the King of France would give no encouragement to the application made to him by the Acadians, and with respect to the views of George III. they were, that he considered the Acadians in the same light as his other Roman Catholic subjects in America, if they took the oath of allegiance they could settle in places agreeable to them, if not the liberty of removal out of the King's dominions could not be denied them as subjects, but they were not to be allowed to be carried away by open attempts, or secret practices, of any foreign power.

Proposals to work the coal mines on Cape Breton systematically were made by various associations, but only a brief reference can be made to this important subject, as to enter into details would involve a long statement of the various changes in the system adopted with respect to the mines; that can best be obtained by consulting the calendar; but the information after 1784 is to be found in the papers relating to Cape Breton.

The first reference to the imposition of the stamp duty is in a letter from Wilmot to the Lords of Trade, dated 19th November, 1765, which says that the

measure was received without opposition or objection, except that some marks of discontent were shown at Liverpool, settled by New Englanders, but without violence or outrage. On the 9th February following he acknowledged having received instructions as to his conduct should the example of outrage shown by the other colonies extend to Nova Scotia, but reports that the inhabitants had submitted without opposition to the authority of Parliament. On the 5th of August, 1766, Green, who became administrator on the death of Wilmot, forwarded an address from the Assembly of thanks for the repeal of the Stamp Act; the storm had passed for the time.

The policy of allowing the French to retain possession of St. Pierre and Miquelon was strongly opposed by the colonial authorities. Palliser, Governor of Newfoundland, wrote to Francklin, administrator of Nova Scotia, that the object of the French in contending for these two insignificant islands was to use them as a basis for intrigue, and that he had communicated to the ministry his apprehension of the prejudicial effects of the measure on the fishery and on the colonies. So far as the Treaty of Paris was concerned, no effect could be produced, but at subsequent periods the words of warning as to the evils likely to arise from the occupation of these islands by the French were disregarded when they were subsequently captured. On the 26th of April, 1773, one of the results of this possession was called attention to, namely, the existence of a contraband trade from the islands to places on the coast from Canso to the Bay of Chaleurs; attention was again called to the existence of this contraband trade on the 21st of June, 1774. Other reports on the same subject continued to be made, reporting the difficulty, if not impossibility, of checking the contraband trade so long as the French were in possession of St. Pierre and Miquelon.

The first revolt in the colonies, in 1774, was treated lightly. Legge, who had succeeded as Governor, wrote to Admiral Graves on the 20th July of that year that the Americans had nothing more in view than publishing some impertinent resolves, which they would never be able to carry into execution. But as time went on the aspect of affairs became more serious, measures of defence were taken, the militia were called out, a step resisted by some of the townships, notably Cumberland. During 1774, so far as the papers show, very little attention was paid to the movements of the revolted colonies. On the 6th March, 1775, Legge reported that the resolutions of the Congress held at Philadelphia for non-intercourse with the provinces that did not adopt the measures of that Congress, were sent to the Speaker of the Assembly of Nova Scotia, but that body took no notice of them. On the 12th of May, 1775, Legge reported that many of the King's subjects who could no longer remain in safety in New England were moving into Nova Scotia, the forerunners of the United Empire Loyalists, and on the 1st of July he was instructed to give land gratuitously to these refugees. From defensive the New Englanders proceeded to offensive operations. Gage reported on the 14th July that things promised to be worse rather than better, that a staff from the Continental Congress had joined the rebels, Washington of Virginia being in command, privateers were employed to prevent provisions and stores from reaching Boston and, to increase the difficulty of defending Nova Scotia, Legge reported on the 31st of July, that most of the inhabitants on the borders and at Annapolis were from New England, on whom little dependence could be placed, many in Halifax were disaffected and of troops there

were only 36 effectives left. On the 17th of October Legge reported that news had been received of the critical state of affairs in Canada and that a descent was threatened from Boston on Nova Scotia, and made proposals to raise a force for the defence of that province, but by the movements of the fleet under Admiral Graves, the attack was warded off. The complaints against Legge, the Lieut.-Governor, were so serious and general that he was recalled, his place being taken by Arbuthnot, who took immediate steps to raise militia for the defence of the province. That the suspicions against the inhabitants of Cumberland were well founded admits of no doubt, as they rose in arms and attacked the fort which was under the command of Goreham (the spelling of this name varies being sometimes Gorham, sometimes Goreham, the latter being apparently that which he himself uses). On the 26th November, 1776, Massey sent to the Secretary of State a journal of the proceedings at the siege of Fort Cumberland, which it has been thought advisable to publish in full and to which reference may be made. On the 20th December Massey reported that the fort was safe, owing to the assistance so quickly sent from Windsor, and on the 31st Arbuthnot reported that the rebels were laying down their arms and that the people of Nova Scotia were generally loyal, except the sectaries. On the 4th of January, 1777, Massey sent another portion of the journal to the Secretary of State, which gives fuller details than are contained in the first. These journals give full information of a most interesting incident in the history of Nova Scotia, which is mentioned only slightly in the ordinary histories. The subsequent preparations for a second attack on fort Cumberland, and the measures taken to defeat them may be traced in the calendar.

On the 3rd of June, 1779, according to Hughes* Brigadier-General McLean sailed from Halifax with a force to take possession of Penobscot Bay, which he did; here he was attacked by a strong force and the letter and enclosure from Hughes of the 2nd September, give information of the successful defence of the fort which he built there; fuller details are, however, given in a letter by Lieut.-Colonel Bruce of the 8th September. Beyond depredatory attacks by small vessels on outlying posts, no attempt appears to have been made, at least of a serious nature, on the province.

The loyalist movement began to assume form at the end of 1782. Parr, the new Governor, wrote to the Secretary of State on the 26th October of that year that Sir Guy Carleton, then at New York, had reported to Hamond, the predecessor of Hughes, that 600 refugees desired to embark from New York for Nova Scotia that autumn and a large number in spring. On the 7th December, Parr reported that 501 refugees had arrrived from Charleston for whom he was preparing shelter. No mention is made of the arrivals from New York, but the inference is that some of them must have landed, from the statement in Parr's letter of 22nd January, 1783, in which the wretched state of the refugees is described, that of those from Charleston being reported to be far worse than the condition of those from New York, they having come almost naked from the burning sands of South Carolina to the frozen coast of Nova Scotia. On the 30th of September he reported that upwards of 18,000 had arrived and that 8,000 or 10,000 more might be expected, and on the 4th of October, he reported to Nepean that the number was 20,000. Surveys were in progress for their settlement and for that of the disbanded soldiers, the districts to be surveyed and the number of surveyors to each are given in the enclosure to Parr's

*This does not agree with the report sent by Lt.-Colonel Bruce to Haldimand on the 6th August that McLean had landed on 12th May. See Archives, series B., vol. 149, p. 71.

letter of the 21st October. On the 16th December, Parr gives the number of loyalists arrived as 30,000 and reports the great growth of the towns in which they had settled, a growth regarded by some as not of a judicious character, as money, these persons held, was spent in building houses in towns, which should have been employed in improving the lands that loyalists had received in the country, which it was expected would furnish them with the means of securing a livelihood. The distribution of the loyalists will be found in the report of Colonel Morse on the state of Nova Scotia, as ascertained on a tour of the province in the autumn of 1783, by Sir Guy Carleton's orders. The report is printed in full in the report on Archives for 1884, the progress of the settlements, the dissensions that broke out caused by jealousies on the part of a few and the grants made to pretended loyalists who sold their lands and returned to the revolted colonies with the proceeds may be traced in the calendar. The difficulty of appointing magistrates in some of the districts is stated in very emphatic terms by Parr, whose language is not always strictly official. In a private letter to Lord Sydney, dated 12th May, 1784, he says "he had to make magistrates of men whom God Almighty never intended for the office, but it was Hobson's choice."

In 1784, it was determined to divide Nova Scotia in consequence of the inconvenience to the settlers on the St. John River on account of the distance from Halifax. This was communicated by the Secretary of State to Parr on the 29th of May, giving the proposed division between Nova Scotia and the new province afterwards known as New Brunswick, as is stated in the letter. The state of the settlements on the St. John River, to form part of the new province, is represented in no favourable terms by Parr, who states that all the disturbances originated there, where there were many turbulent spirits full of groundless complaints, lies and false representations. The subsequent history of New Brunswick will be found noted in the calendar for that province. It was suggested by Colonel Fanning in a letter to the Secretary of State of 29th April, 1784, that the name of the new province should be Pittsylvania, in honour of Lord Chatham.

Whilst the loyalist refugees were welcomed, a decided check was placed on any attempt to induce the inhabitants of what had now become the United States, to remove to Nova Scotia. Parr, writing on the 24th of July, reported that he had an application on behalf of 500 or 600 families of Quakers, who desired to remove to Nova Scotia from New York, Pennsylvania and New Jersey, and that they asked for assistance towards that end, but he was doubtful of the policy of granting such help. On the 5th of October, the Secretary of State wrote that he considered it would be improper to assist in removing the Quakers from the United States, but if any came they might be granted lands.

The movement on the part of the Quakers of Nantucket to separate from Massachusetts, after the formation of the United States, has not been noticed, so far as I have been able to ascertain, in any history of that country (the United States). The island, which is of no great extent, was inhabited chiefly by Quakers, who carried on what was known as the Southern whale fishery, that trade having been begun in 1690, in boats from the shore. Early in 1785, they proposed to separate the island from Massachusetts, the island to be considered either as neutral or as an appendage of Great Britain. Should that be found impossible they proposed to settle in the British dominions, the province of Nova Scotia being preferred as a suitable place

for carrying on their special industry. The proposal to separate the island from Massachusetts, leaving the inhabitants there, was strongly opposed in Nova Scotia, on the ground that in that case all the whale oil from the Northern States would pass through Nantucket as the product of the industry of British subjects and be admitted into Great Britain free of duty to the ruin of the same trade carried on from Nova Scotia. Part of the inhabitants must have come to Halifax, as a memorial dated 26th July, was presented by them for the free admission of their whale oil, they being now British subjects. In Parr's letter of the 1st August, he wrote that the affair of the Quakers of Nantucket was of the greatest moment to Nova Scotia, as their returns from spermaceti whale oil were £150,000 per annum, and preparations were made at a considerable expense for their reception and accommodation. These measures were, however, strongly disapproved of, Lord Sydney writing that the engagements with the people of Nantucket had caused inconvenience, that an immediate stop should be put to encouragement to emigration from the American States, and that it was not intended to encourage the whale fishery except that direct from Great Britain. Those who had already come to Nova Scotia were transferred to Milford Haven, and this incident ended so far as Nova Nova Scotia was concerned.

No distinction is made in the musters of the loyalists between whites and blacks. In a note to report in January, 1784, it will be seen that there were 1,232 *servants* given in the musters who, it was conjectured were blacks, and in a letter from Parr dated 29th April, 1785, he reports the arrival of 194 white and black men, women and children from St. Augustine. That the number of free blacks in the province was considerable is undoubted. In 1791, the Sierra Leone Company, which had made an unsuccessful attempt in 1787 to colonise that territory made fresh proposals for settlement by the removal to it of the free blacks settled in Nova Scotia, a proposal not only objected to by the ordinary population of Nova Scotia, but by portions of the class it was proposed to remove. The ground taken by the inhabitants generally was that a valuable body of labourers and market gardeners would be removed to the great detriment of the province and that so far from spending large sums in removing population some expenditure, which would bear only a small proportion of that for their removal, should be spent for retaining them. The blacks of Shelburne condemned the action of their countrymen in accepting the proposals of the Sierra Leone Company, asked for enough to purchase a cow and two sheep, pointing out the cost of transporting so many to Africa, which would be much greater than compliance with their request would involve. In December, 1791, a list was sent of the blacks in Birch town, who gave in their names for Sierra Leone and another memorial from those who were unwilling to go, representing that a proportion of the expense for transport would enable them to live in comfort on their farms. Apparently a change had taken place in the views of the British Government, for an order was sent on the 15th of January, 1792, that all expense was to be stopped for the collection or transport of the blacks, that lands were to be granted to such as were willing to settle and that the suitable men amongst them were to be induced to enter a corps for service in the West Indies. The change came too late, however, for on the day the letter was written 1,190 black people had sailed from Halifax for Sierra Leone in 15 transports. The records of Sierra Leone show that the result was not very satisfactory to the directors of the company.

NOTE A.

LIST OF CONTRACTIONS, WITH EXPLANATIONS.

A. and W. I.,	America and West Indies.
B. M.,	British Museum.
B. T. Journals,	Board of Trade Journals.
" New England,	" New England.
" N. S.,	" Nova Scotia.
" Trade Papers,	" Trade Papers.
Col. Cor., N. S.,	Colonial Correspondence, Nova Scotia.
Col. Off., N. S.,	Colonial Office papers, Nova Scotia.
Interregnum,	Cromwell's Protectorate.
Lambeth MSS.,	Papers in Lambeth Palace.
S. P. Col.	State papers Colonial.

The Duke of Kent, then Prince Edward, was in Boston in the spring of 1794, at reached Martinique in time to take part in the capture of Fort Bourbon, which ompleted the surrender of the island. In the official report of Sir Charles Grey, ated at Fort Royal, Martinico, the 25th March, 1794, he states that Fort Bourbon urrendered at four o'clock in the afternoon of the 23rd, "at which time His Royal Highness Prince Edward, Major General of His Majesty's forces, took possession of both gates." On the 12th of January, 1796, he was promoted to the rank of ieut. General, in which capacity he was ordered to serve on the staff. On the 10th f May, 1794, Prince Edward arrived at Halifax and took command of the troops here, but desired a more extensive command and was doing all in his power to improve the condition of the 7th fusiliers at the expense of the provincial troops, a measure pposed even by Wentworth, who seems to have been greatly attached to the Prince and egarded his wishes as indisputable; his account of the Prince's activity in military ffairs appears to be correct as it is supported by other evidence of an unimpeachble character. In 1798, in consequence of injuries received by a fall from his orse, he made up his mind to go to England and accordingly sailed in the month f October, but the exact date is not given in the papers. He returned the following ear to Halifax, but the date of the return is not given; a letter from Lieut. General)gilvie, dated at Halifax, the 15th of June, 1799, addressed to Green, military secetary at Quebec, states that it was likely the Duke of Kent would return in a high fficial capacity (series C, vol. 223, p. 112). The first letter noted among the papers is ated in September, and that is probably about the date of his arrival. His proceedngs whilst he held the command can be easily traced by reference to the calendar.

The arrival of the Maroons from Jamaica, where they had maintained a long rotracted and sanguinary struggle in the mountain recesses of that island may be eferred to but need not be dwelt on, as their stay was so brief that their short esidence had little effect on the progress of the province. They were removed to ierra Leone, the belief being that this was done at the instance of the directors of he Sierra Leone company, styled in contempt "the philanthropists," but an xamination of their correspondence shows that this belief is not well founded and hat the company were reluctant to take charge of a body of men whose past history fforded no guarantee for their future peaceable behaviour, many of them, in fact, oing to Africa with the idea that they could make money by slave hunting instead f entering upon a peaceful life of agricultural employment.

The whole respectfully submitted.

DOUGLAS BRYMNER,
Archivist.

)TTAWA, 31st December, 1894.

NOTE A.

LIST OF CONTRACTIONS, WITH EXPLANATIONS.

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Interregnum,	Cromwell's Protectorate.
Lambeth MSS.,	Papers in Lambeth Palace.
S. P. Col.	State papers Colonial.

NOTE B.

List of Books, &c., presented, with the Names of the Givers.

Names.	Residences.	Works.
lic Library	Boston, Mass.	Reports.
eum	London, Eng.	Return.
ary	Buffalo, N. Y.	Reports.
. Napoléon, through B.	Three Rivers.	Original papers on Catholics of Ireland and grievances of Lower Canadians 1827 to 1834.
ivil Engineers	Montreal	Transactions.
itute	Washington, D. C.	Report.
iversity	Chicago, Ill.	Publications.
iller	London, Eng.	Two Journals, Hudson's Bay Co. MSS.
eo. S	Geneva, N. Y.	Pamphlets.
	Oka	Publications on Indian language.
Andrew	Montreal	Notes on Rideau Canal.
Commissioner of	Washington, D. C.	Reports.
	Louisville, Ky.	Publications.
es G	Ottawa	Sketch of the Parish of St. Mary.
ıiléas	St.-Roch, Quebec.	Manuscripts.
J.	Ottawa	Pamphlets.
I. C	Toronto	John Brown in Canada.
ımmisson	Montreal	Reports.
ıdrew	Kingston	History of the County of Lanark. MS.
MSS. Commission	London, Eng.	Publications.
ıt. D. H	Bridgeport	Annals of Fort Mackinac.
Miss	Ottawa	Pamphlet.
William, LL.D	"	Pamphlets.
A	Toronto	Reports on Forestry.
	London, Ont.	Memoir of Hon. Elijah Léonard.
Donald, Q. C	Montreal	Pamphlets.
listorical Society	Winnipeg	Publications.
'niversity	Michigan	Publications.
ee Harbour Commission.	Montreal	
ın-Tyne Library	Newcastle-on-Tyne, England.	Reports.
torical Society	Utica, N. Y.	Publications.
vernment	Toronto	Publications.
gislative Assembly	"	Publications.
, W	Ottawa	Pamphlet.
	Rhode Island.	Early Record and Reports of Commissioners.
ord Office	London, Eng.	Publications.
vernment	Quebec	Publications.
, Cyrus K	Buffalo, N. Y.	Pamphlets.
ibrary	Rochester, N. Y.	Reports.
ty of Canada	Ottawa	Proceedings, Bibliography.
W. Noel	London, Eng.	Pamphlet on Public Record Office.
tev. E. J. P	Weltes, Indiana	Pamphlet.
fessor	Kingston	Pamphlet.
State Historical Society.	Madison, Wis.	Pamphlet.
University	" "	Publications.
rsity	New Haven, Ct.	Publications.

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nber 6. Temple to Povey. Account of his trading operations during the Spring and Summer. No. 72

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ber 22. Assay of copper found in Nova Scotia, but not stated in what locality. John Reynolds, of the Mint, who assayed the sample, says:—"It is "wonderful that there should be found a Copper Myne so ritche, tough "and maliable, and so pure at first melting. I never heard the like." No. 76

ber 29. Temple to Lord Fienes. Account of the affairs of Nova Scotia. Reported capture of St. John and Port Royal, which he does not believe. Gives a list of his obligations to the merchants and others. No. 77

660.
7. The following petition is given in full:—"To the King's Most Excel- "lent Matie. The humble petition of Thomas Elliot, Esq., one of the "grooms of yor Maties Bed Chamber Sheweth, That whereas a certain Place "in America called Nova Scotia was formerly given by his royal ma^tie "King James to one of the family of the Stirlings in Scotland, who "sold the same to the French under whose Command it contynued untill "Cromwell (about five years since) took it from them and gave it to "one Temple and Crowne for ever who are now in the possession thereof, "but the right of disposall in yor Ma^y.

"May it therefore please yor Ma^ty to grant the same to yor pet^r either "for terms of years, or otherwise as to yor Ma^ty shall seem meet."

"At ye Court at Whithall this 17th of July 1660.

"His Matie is graciously pleased to refer the consideration of this Peti- "tion to the Commissioners appointed His Matie for the management "of foreign plantations to certifie w^h is fit to be done herein.—Edward "Nicholas. vol. 14, No. 21."

19. Petition of Sir Lewis Kirke, John Kirke and Fran. Berkeley for possession of New France, Acadia and Canada. No. 22

Account of the King's rights therein. No. 23

The Kirks ordered to appear before the Council. No. 24

Report of Council (30th July) that Temple has a good title. No. 28

The petition of the Kirks is appended to the report. It is a duplicate of that at No. 22, except that Nova Scotia is substituted for Nova Francia. No. 28—1

e 20. State of Temple's claim to Nova Scotia. At the end of No. 37 is a statement respecting the capture and restoration to France of parts of Nova Scotia, Quebec, &c. No. 36

ber 24. Temple prays for a regrant of Nova Scotia, &c. The infamous conduct of Middleton. No. 44

ber 1. Commission for "a Council for Foreine Plantations." No. 59

ber 4. Petition of Col. John Blount and the Ladies Mary and Jane Alexander, heirs of the Earl of Stirling, for compensation, referred to the Lord Chamberlain. No. 60

Report that the Earl of Stirling, having restored Nova Scotia to the French by the King's command, he is to receive £10,000 sterling. No. 60—1

(For statement of the case, see Nos. 66 to 68.)

ber 11. Petition of the Kirks. No. 61

Attached are the following: "The title and Interest of ye state of "England in and to the Gulfe of St. Lawrence, the great River of Canada "and to all the Northern Countries of America bordering and contermi- "nating upon either of them which are now called by the names of Canada "and Nova Francia." No. 61—1

1656.
July 14. Agreement between Cromwell, Lord Protector, on the one side, and St. Charles St. Stephen, Lord de la Tour, baronet of Scotland, Thomas Temple and William Crown, Esquires on the other, for the purchase of Nova Scotia. The boundaries and conditions of purchase are given in full. In No. 4 the date is given at the beginning as the 16th, at the end the 14th. The others (5 and 6) are dated 16th, and No. 6 is an extract. S. P. Col. vol. 8, Nos. 4, 5, 6

July 31. The securities offered by Crowne and Temple for the grant of St. John and Pentacost, approved of by Council. Interregnum I 77, p. 297.

No date. Petition of the widow of Major Gibbons representing that the fort of St. John was forfeited to her husband for non-payment of mortgage by de la Tour, praying for £200 yearly till the debt be paid, which de la Tour considers reasonable.

1657.
April, 14. Convoy to Newfoundland and vessel to carry Temple and his company to Nova Scotia. Interregnum I 77, p. 790

1658.
March 16. Request for the pink "Sparrow" to be lent to Temple for service in Nova Scotia, referred to Council. I 78, p. 498

March 18. Report that the Admiralty have ordered her for sale. 506

March 30. Ordered that before the vessel be lent, all her guns, stores, &c., be removed. 533

May (?). Agreement for carrying on trade in Nova Scotia. It begins: "Wee "whose names are here underwritten doe hereby vndertake and agree "to enter upon and carry on a trade to Nova Scotia. In order where- "unto wee doe likely agree to send as our agent Capt. Middleton," &c. No signatures. S. P. Col. vol. 13, No. 43

September 9, Boston. Thomas Temple to Thomas Povey. Has received letters by Middleton, a prudent person, who will visit the coasts of Nova Scotia and report. No. 51

November.— "Articles drawn up against Mr. Laborne, merchant of Rochelle, in "behalf of Colonel Temple, Liftenant Generale of Nova Scotia, under "His Highness the Lord Protector of England, Scotland and Ireland." No. 52.

November.— Complaint of the Ambassador of France, on the part of the "Company "of the New France" of the English having taken Port Royal, St. John and Pemptacoet, burned the church and committed other damage. (See also No. 54.) No. 53

December 27, Thomas Temple to Lord Fienes and company, respecting affairs in Nova Scotia, as reported by Middleton. No. 58

December 27, Temple to Povey. Complains of the conduct of the Boston merchants and the losses he has sustained. Capt. Breedon has offered to advance him £1,000. No. 59

No date. The case of Colonel Temple, as to his interest in Nova Scotia, forwarded with a note by William Denton. No. 61

Minutes of agreement by Breedon on behalf of Temple to Lord Fienes
1659. & Co., for settling a trade in Nova Scotia, &c. No. 64

February 20. Temple to Lord Fienes & Co. That he had empowered Captain Breedon to settle matters in accordance with His Lordship's propositions. Had sent the same instructions to his brother, Colonel Temple. Captain Middleton will bring full information of the state of affairs. The articles of agreement offered by Temple are in No. 64. No. 65

February 20. Temple to Povey on the same subject. Hopes his propositions may be satisfactory. No. 67

September 6. Temple to Lord Fienes. The attack by Le Borgne upon La Have; capture and recapture. Had received goods to the amount of £700, and bill for £200. The ship containing goods sent in return to the amount of £3,000 was lost with all the goods and several of the crew. Further details of affairs are given, and it is added in a posteript that he

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1667.
"9 Sept 1630," urging the King to maintain his rights to New Scotland. S. P. Col. vol. 21. No. 136

Various dates. "Propositions and considerations for the business of Canada," also relates to Nova Scotia. It is endorsed:—"Proposals about Canada, 1, 2. The "bounds of Lacadie, Councill Chamber, 4 October 1667. 3. Bounds of "Acadia & N. Scotia, 14 of Sept. 1667. Pentackett granted to ye men "of New plimouth by patent from King Charles about 1627." No. 121

Abstract of documents relating to the title of the English to Nova Scotia, with the French Ambassador's answer. No. 122

"By ye treaty to be performed by ye King to ye ffrench, concerning "Quebec." "To restore all ye places that had been possessed by ye french "in new france Cadie and Canada, and were since taken from them by "ye subjects of ye K. of G.B., & to cause ye English to retire from said "places in 8 days, Port Royal, Kebec and Cape Bretton." Certain obligations to be met by Burlamaushi to be performed by the French. "The "Comodityes of ye Plantation of Qebeck." The document is endorsed: "French Treaty concerning Kebeck. The comodityes of Canada, pitch, "tarr, hemp, tymber." No. 137

December, 14-24. "Extrait sommaire et induction des pièces qui seruent d'éclarcisse-"ment pour l'affaire de L'Acadie." The paper consists of extracts from documents. No. 158

Notes by Sir Joseph Williamson. No. 159

A copy, with a paragraph omitted. No. 160

Notes relating to America. Those on Nova Scotia begin on page 346, where marked $\overset{A}{A} \times \overset{A}{A}$ down to "hopes of copper in several places "standing out like fingers, arms and leggs." S. P. Col. vol. 21

December 31. Order by the King to Temple to surrender to France the country of Acadia formerly held by the King of France, namely "Pentagoet, St. "John, Port Royal, La Have and Cape Sable, which his subjects enjoyed "until the English took possession thereof in 1654, 1655 and since." Copy of the 10th and 11th articles of the treaty of Breda are attached to the letter. No. 168

1668.
February 19. Order in Council, to change according to M. de Ruvigny's demand, the order for the cession of Acadia. S. P. Col. vol. 22, No. 43

Declaration of the King. No. 44

Proclamation for the cession. No. 45

No date. Captain Robinson's proposals to the King concerning Newfoundland. The paper relates chiefly to that island, but shows also the danger to Nova Scotia, &c., of the French possessing it. No. 70

July 28. Order in Council, that in consequence of proposed delay of the French to issue orders for the surrender of St. Christophers, the delivery of Acadia is to be deferred. S. P. Col. vol. 23. No. 27

August 1. Letter written in consequence. No. 31

"The case of William Crowne, Esq., Proprietor in part of Nova Scotia "or L'Accady." Details of the emigration of Sir Claude St. Etienne (de la Tour) to Nova Scotia, the grant to Alexander; Nova Scotia was annexed to the Crown of Scotland by four acts of Parliament; the French claims &c. No. 28

November 9. "Copie de la lettre escritte a Messrs. de la compagnie d'Occiden par "le Sr. de Morillon Du Bourg Çommiss^re deputé par le Roy de france "pour l'éxecution du traité de Breda en Laccadie." The distinction drawn by Temple between Acadia and Nova Scotia; the places specified in the treaty are not, he holds, in Acadia but in Nova Scotia. He maintains also that by the treaty St. Christophers, Antigua and Montserrat should first have been delivered up by the French. Is anxious to get the matter settled, the season being far advanced. No. 71

Opinion of W. W. in Latin and French, preceded by short notes in English. No. 26

Petition by Temple for the removal of Breedon, who "hath fraudenly "obtained the Patent and Commission of the Government and Trade of "Nova Scotia." No. 28

The warrant suspending Breedon is in Domestic Entry Book, Charles II. p. 189

Bill to be prepared appointing Temple and heirs perpetual governors of "the Countries and Territories called Laccadye and that part of y^e^ "Country called Nova Scotia, lately purchased by him of La Tour." S. P. Col. vol. 16, No. 40

Copy at No. 41 and text of warrant at No. 42 which provides that the continuance of the office is "during pleasure."

Bounds of Sir Thomas Temple's patent for Nova Scotia. The description is short No. 86

Petition of Thomas Breedon to be Lieut.-Governor of Nova Scotia on the default of Temple. Complains that Elliot is attempting to dispose of the country to others. No. 87

Petition of Edmond Wyndham and Thomas Elyott for leave to work the copper mines in Nova Scotia on condition of receiving the sole profit, rendering one-fifth in specie to the Crown of the metal raised, referred to the Lord Treasurer. vol. 17, No. 70

On the 16th December, the Lord Treasurer reported that the petitioners having obliged themselves to bring into the Kingdom all the copper or other metal they raise (gold and silver are excepted in the lease) recommend that limits be set to the mountain described and that a lease be granted for thirty-one years without inheritance. No. 71

Proclamation. Temple to be governor of Nova Scotia, &c. vol. 19, No. 33

Petition of Lieut.-Col. Amand la Loubré, that for his services in Nova Scotia &c., he may be allowed to import wine free of duty for life. Domestic, Charles II., vol. 142, No. 137

General instructions to extirpate the French and the Dutch from the colonies. S. P. Col. vol. 20, No, 10

Similar instructions were given on the 8th and 22nd. Nos. 11 to 14

The King to Temple. Declaration of war to be published in Nova Scotia, with orders to destroy the French and Dutch. Nos. 18-19

Temple to Lord Arlington. Letters received. Governor and magistrates ready to give assistance but their means are small. Dispatches sent by Captain Cartwright, captured by a Dutch man of war, and by Captain Scarlet, whose vessel was wrecked and no paper saved. vol. 21. No. 30

Same to same. Recapitulates contents of previous letter. Had sent provisions to Barbados. Has not lost a foot of Nova Scotia. "It is "incredibly fruitfull in Mines, especially of fine copper and fish & the "climate and land more proper to make sault than France itself." A specimen of the latter is sent. No. 49

Order to Temple, Governor of Nova Scotia, to restore "Lacadie" to the French, according to the treaty of Breda. Endorsed:—"This warrant sent." No. 150

Other documents to the same effect, with alterations, were not sent. Nos. 151, 152, 153

Temple to Arlington. To the same general effect as letters of 30th March and 24th May previous, but with additions respecting his claims, &c. No. 155

Memorandum. That Temple is to deliver up Nova Scotia. Domestic Entry Book, Charles II., vol. 24. p. 105

"Title of the English to Canada." Relates to Nova Scotia chiefly; attached to it is a letter from the Council of Scotland, dated "Hallyrood,

1667. "9 Sept 1630," urging the King to maintain his rights to New Scotland. S. P. Col. vol. 21. No. 120

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1668.
ovember 24. Temple to Lords of Council, respecting the bounds of Acadia. No. 86

Enclosed. Answer of Temple to Du Burg's demand. No. 86-1

"A breviat of ye purchase made by Sir Thomas Temple, Knt and "Baron^t^, Governor of Nova Scotia, for his Majesty ye King of Great "Brittaine with Mons. de la Tour, of all his lands lying in Nova "Scotia, &c." No. 86-2

ecember 25. Temple to Arlington. Statement of the steps taken to counteract the attempts of the French to secure Acadia and Nova Scotia. Nos. 102, 102-1, 102-4

1669.
anuary 13-23. Memorial by Colbert, respecting the mutual delivery of St. Christophers and Acadia &c., with order by the King of France to de la Barre to deliver up St. Christophers. S. P. Col. vol. 24, Nos. 5 and 5-1

(6 and 6-1 are copies.)

ebruary 26. Order in Council that a second order to Temple to cede Acadia is to be prepared. No. 19

March 2. Temple to Arlington. Complains of the conduct of Elliot; his large expenditures and heavy losses; his error in not writing to the King. No. 20

Another letter to Arlington of same date, of a more private character, enclosing statement of his purchases and the amounts on these and other accounts. No. 21 and 21-1

March 8. The King to Temple. That he is immediately to restore Acadia to the King of France, notwithstanding the order to forbear delivery. No. 26

May 20. Remonstrance by Massachusetts against the surrender of Nova Scotia for St. Christophers; the value of the latter bears no proportion to that of the former. No. 62

ugust 6. The King's letter to deliver up Acadia.
Colonial entry book vol. 60 pp. 20, 21
(*The first series of these numbers.*)

1670.
o date. Captain Robinson. Two papers, relating chiefly to Newfoundland, point out the danger of the French obtaining possession of it, as affecting Nova Scotia, &c. S. P. Col. vol. 25, Nos. 110, 111

(See also undated letter of 1668, vol. 22, No. 70)

1671.
anuary 10. Temple to the King. Had delivered up Acadia, but the places ordered to be surrendered are not in Acadia but include all Nova Scotia and a part of New England. The deplorable state of his own financial affairs. S. P. Col. vol. 26, No. 4*

1672.
o date. Petition of Wilson showing his losses by the cession of the forts of Acadie. S. P. Col. vol. 29, Nos. 80, 80-1

1673.
May 9. Certificate of Governor and Council of Massachusetts of the good conduct and loyalty of Temple when governor of Lower Acadia. S. P. Col. vol. 30, No. 34

1676.
ebruary 11, Whitehall. Order to the Secretary of the Council to prepare a letter to the Massachusetts, to answer the complaints of the Dutch that the forts of Penatscop and St. John, captured by Captain Arenson from the French, had been seized by the people of Massachusetts together with men left there to carry on trade. Col. Entry book, vol. 96, p. 46

ebruary 18, Whitehall. The letter to the Governor of Massachusetts, in accordance with preceding order. Col. Entry book, vol. 93

1679.
anuary 24. Petition of John Crown for relief, the lands of Nova Scotia, bought by petitioner's father, and Sir Thomas Temple, from de la Tour, assignee of Sir William Alexander, having been transferred to the French, to the ruin of petitioner and his family. (Undated. Referred to the Lords of Trade on the date in margin). S. P. Col. vol. 53

1679.
February 6, Whitehall. Report of the Lords of Trade on the application of John Crown for the lands of Mount Hope in New England in compensation for the surrender of Nova Scotia to the French. N. S. Col. Entry book. vol. 105, p. 297

May 10, Whitehall. Order by Lords of Trade for Sir Thomas Temple to appear with his titles to Nova Scotia. 308

May 21. Translation of the representation made by the Dutch Ambassador, that the Dutch took possession in 1674 of a fort in Acadia or Nova Scotia, formerly belonging to the French, but a vessel sent by them to trade there was seized by Capt. Hampton, commanding a neighbouring English post. The representation asks for the release of John Rodes, the master of the captured vessel, the punishment of Hampton and the issue of orders to prevent the trade by the Dutch from being molested. S. P. Col. vol. 66

A copy in French follows.

June 21, Whitehall. Crown appeared before the Council, but not being able to produce sufficient evidence of his right to Nova Scotia, Nelson, also interested, was ordered to attend. Col. Entry book. vol. 106, p. 27

August 4. Further representation by the Dutch of the conduct of Hampton and the Bostonese in destroying the forts of Penatscop and St. John, taken from the French by Capt. Juriaen Aernout, in 1674, seizing a vessel, commanded by Capt. John Rodes trading there and claiming possession of the lands, whilst the Dutch were the friends and allies of His Majesty. S. P. Col. vol. 66

October 30, Whitehall. Report by Lords of Trade, that in consideration of Crown's petition and the answers from New England, they recommend that Mount Hope asked for by Crown be continued in the possession of New Plymouth. Col. Entry book, vol. 106, p. 83

November 6, Whitehall. The Lords of Trade see no reason to change their recommendation that the lands of Mount Hope should remain in possession of New Plymouth. 88

1680.
February 4. Petition of John Crown for lands to compensate him for his losses by the surrender of Nova Scotia. (Undated; referred to Lords of Trade on date in margin).

March 1. Account of Narraganset country sent, at the desire of John Crown, by Nath. Colson. S. P. Col. vol. 53

1684.
December 5. Complaint of the owners of fishing vessels, that their vessels had been seized at Cape Sable, although a licence from the French Governor had been paid for and obtained. S. P. Col. vol. 54

(There are four affidavits of the same date and to the same effect. Petition, founded on these, follows).

1685.
January 16. Answer (in French) of the French concerning the fishery of Acadia; the possession of Acadia restored to the French by the treaty of Breda. (Acadia taken in 1664, treaty of Breda, 1667). Prohibition of fishing or carrying on the fur trade along the coast by foreign vessels. Seizure of New England vessels, whose cargoes and masters were carried to Rochelle, where two of the masters having been found to have licences were ordered to be sent back and their vessels restored; the vessels and cargoes of the others to be confiscated. (Undated; read by the Committee of Council on the date in margin). S. P. Col. vol. 55.

July 15, Whitehall. Petition from New Hamshire, complaing that their vessels fishing off Nova Scotia had been seized and sent to France, although they had paid the usual duties of licence. Col. Entry book, vol. 108, p. 167

In Col. Entry book, vol. 100, pp. 20. 21, are extracts from "Transactions" between the English and French. These were printed in full in the report on Canadian Archives for 1883.

87. Memorial of Denyes to the King of France. (A translation of this was laid before the Lords of Trade on the 15th March 1715, which see. A copy is in B. T. N. S. vol. 32, p. 169.)

89. Petition of Robert Nelson for letters of reprisal to enable him to obtain possession of the lands in Nova Scotia, belonging to his deceased brother, Sir Thomas Temple, which had been surrendered to France without compensation. S. P. Col. vol. 55

91. nber. — Submission (in French) of the people of Siganectoe. See enclosures in Lords of Trade of 17th April, 1697.

94. ry 13, lles. Order to Begon to give up Nelson, on his finding security for returning to Quebec the French soldiers taken at Port Royal. B. T. Trade papers, vol. 5.

14. Certificate of the capture of Nelson, Ting and Alden on the coast of Nova Scotia; their imprisonment; death of Ting; release of Alden. Nelson kept close prisoner at Angola (Angoulême), having been taken there from Quebec. The certificate is signed by Heysham, Johnson and Waterhouse, the last of whom certifies that on the 2nd October, 1693, there were no French prisoners at Boston. B. T. Trade papers, vol. 5

1, n. Affidavit by Col. Hutchinson and David Waterhouse, that the French soldiers taken in 1690 at Port Royal and carried to Boston had been released. B. T. Trade papers, vol. 5

There follow: Undated statement of the capture of Nelson, &c. "The case of Mr. John Nelson" and petition from a number of prisoners held under pretext that French soldiers had not been released.

8, Delagni to commissioners for sick and wounded. The convention for the exchange of prisoners has been complied with by France. In the case of Nelson, he is held till the return of soldiers taken at Port Royal who, by agreement with Phips, were to be sent to Quebec, but are still in New England. B. T. Trade papers, vol. 5

9, Same to the same. Complains of contraventions of the treaty of exchange and threatens reprisals. B. T. Trade papers, vol. 5

nber 20, ine- Same to commissioners for prisoners of war. The seamen taken in any part of the world have been carried to France; Nelson and Alden have been brought there to satisfy the particular agreement they made when arrested in La Baye Françoise in Acadia and until the French soldiers kept in Boston shall be returned. The expense for returning the French prisoners from England shall be paid when he knows the amount. B. T. Trade papers, vol. 5

er 15, ine- Same to the same (in French). Is ready to pay anything that may be due, and desires that the French officers held as prisoners may be returned. B. T. Trade papers, vol. 5

(In B. T. Journals, vols. 10 and 11, are minutes and references to Nova Scotia during 1697, 1698 and 1699).

96. ber 6. Statement of Nelson's case with respect to the French. He had been employed, in 1691, to assist in settling Port Royal, lately taken by Phips, when he was seized by a French ship of war and kept a prisoner. A. 5, B. T. Miscellanies.

97. 17, hall. (Undated; received on the date in the margin).

Lords of Trade to Secretary of State (Trumbull). Transmit memorial respecting the title to Nova Scotia. B. T. Journals, vol. 20, p. 120

Enclosed. Nelson's papers respecting Nova Scotia. 162

Nelson's memorial on the title to Nova Scotia. 165

Submission (in French) of the people of Seganectoe to the Crown of England, September 1691. 169

02. Order in Council (undated) to be sent to the Admiralty that Nicholson is to return to Nova Scotia with the "Sapphire," the "Leopard" and two transports with arms and stores for the defence of Nova Scotia.

1704.

The Commodore of the Newfoundland convoy is also to be instructed to obtain intelligence of the French fleet bound for Port Royal, and to secure the fishing vessels, &c. A. & W. I. vol. 594, p. 1

November 17. Dudley to Lords of Trade. On the expedition on the coast of Acadia nothing was left standing of four villages but Port Royal fort. A. & W. I. vol. 485.

1709.

October 14, Roboboth. Resolutions of governors of the four Provinces, officers of the army and representatives of the Provinces (extract to foot of p. 3), that an attack should be made on Port Royal A. & W. I. vol. 58, paper marked 81.

Address respecting the attack on Port Royal (undated). 82

October 18, Boston. Dudley to officers of the army (circular). Asking for their attendance at a meeting respecting the attack on Port Royal. 85

October 18, Boston. Dudley, Nicholson, Vetch and Moody to Ingoldsby, governor of New York. As it is needless to send troops to the Bahamas, request him to order the captains of H. M. S. "Kinsale" and "Maidstone" to attend the attack on Port Royal. 87

October 19, Boston. Same to the captains of the ships of war. The troops being ready for the expedition to Canada, which is postponed, it has been agreed to attack Port Royal. 88

October 19, Boston. Same to Martin of H. M. S. "Dragon." In answer to his objection to go to Port Royal, having been ordered by the Admiralty to attack Newfoundland, repeat their desire that he should attack Port Royal, that being on the way to Newfoundland, and the attack on Port Royal would render that on Newfoundland easier. 89

October 20, "Entreprise." Capt. Smith to Dudley, &c. Has received directions to assist in the attack on Port Royal. Cannot do so contrary to the orders of the Admiralty, unless directions to that effect have been received from Her Majesty. N

A similar letter from Martin. O

November 18, Boston. Address of the Council and Assembly of Massachusetts Bay on the great expense incurred for raising troops and praying that an attack be made in Spring on Canada, or Nova Scotia and Port Royal. 90

An address (undated) on the same subject from the principal inhabitants of Boston. 91

1710.

February 4, Boston. Vetch to Secretary of State (Sunderland). Has forwarded Indians to Great Britain, who intend to take part in the expedition. 93

March 18. Commission to Nicholson, appointing him general in command against Port Royal. A. 48. B. T. N. S. vol. 1

(See also B. 55, 56, 57 in vol. 2, also vol. 32, p. 155).

May 15, Boston. Vetch to ————. The great expense to New England by the non-arrival of the fleet. The preparations have alarmed the French and made the attacks from them more frequent. The impossibility of defending Boston so long as the French hold Port Royal. A. & W. I. vol. 58 No. 98

August 30, Cape Breton. Vetch to Secretary of State (St. John). Has left the garrison and government of Annapolis Royal to take command of the New England troops against Quebec, in conjunction with Hill. Sanguine expectations of success. A. & W. I. vol. 594, fo. 16

September 16, Boston. Nicholson and Vetch to Lords of Trade. They are just embarking for their expedition [against Port Royal]. B. T. N. S. vol. 32, p. 1

September 16, Boston. Same to Secretary of State (Dartmouth). Conference of the governors; the necessity of providing additional stores, gun carriages, &c. Port Royal strengthened on account of the alarm at the preparations for an attack. How it is to be garrisoned when reduced. A. & W. I. vol. 58. No. 110

Another copy. 165

1710.

October 1, Port Royal. Summons by Nicholson to Subercasse for the surrender of Port Royal. 112

October 2, Port Royal. Articles of the capitulation of Port Royal, between Nicholson and Subercasse. 111

(A copy is in the British Museum, add. 19069, fo. 1, dated 13th October.)

October 11, Annapolis Royal. John Harrison appointed chaplain to Annapolis Royal. 114

October 11, Annapolis Royal. Nicholson and other officers to Vaudreuil. Port Royal being taken, warn him that if incursions be made by French, or Indians, on the frontiers of New England, retribution shall be taken on the chiefs of his people. Demand the surrender of prisoners taken at Deerfield, &c. If not restored by May, an equal number of the chief French inhabitants shall be made slaves; on compliance, the prisoners shall be treated with all civility. 115

October 12, Annapolis Royal. Proclamation to the inhabitants of Acadia and Nova Scotia, that the country has been taken possession of by the Queen and forbidding them to molest any British subjects. 120

October 12, Annapolis Royal. Proclamation to her Majesty's subjects, that all trade with Nova Scotia is to be carried on through Annapolis Royal, those violating this proclamation shall be treated as illegal traders and their vessels and effects confiscated. 121

October 14, Annapolis Royal. Nicholson to Vaudreuil. Sends an instrument by Major John Livingston, with the terms of which it is hoped he will comply to save further effusion of blood. 117

October 14, Annapolis Royal. Council of war to the Queen. Conclusion of the expedition against Port Royal; pray for the first choice in the settlement of the country. 118

October 14, Annapolis Royal. Memorial of the council of war to the Queen for the renewal of the order of baronets of Nova Scotia and the bestowal of the honour on such of the officers as she may select. 119

October 16, Annapolis Royal. Memorandum of the bounds of the sea coast of Nova Scotia, by Captain Southack. From St. Georges to Grand Manoon (Manan) 45 leagues; from thence to St. John's, 14; from thence to Schednecto (Chignecto), 40; from thence to Port Royal entry 45; from thence to Cape Sable, 35; from thence to Gut of Cancer (Canso), 85: from thence to Cape St. Lawrence on Cape Briton (Breton) Island, 30; from thence to Cape Gaspe (Gaspé) in Canada River, 122; from thence to Pisquit and Bay of Silliore (Chaleurs), 30; from thence to Shedenecto ye bounds by land 4 miles. 123

(The copy is literal, with the addition of the present spelling in parenthesis).

October 20. "Rolle des habitants de la bans lieux du fort du Port Royal speciffié famille par famille." The total number was 481. 124

Plan of Port Royal (undated). 125

October 23, Port Royal. Passport by de Subercasse to Majors Mullins and Brown, after the surrender of Port Royal. A. 50., B. T. N. S., vol. 1

(There are other copies B. 58, vol. 2, C. 173, vol. 5, and at p. 164 of vol. 32).

October (?) Annapolis Royal. Council of war to the Queen desire instructions as to the settlement of the country and the disposal of the inhabitants. A. & W. I. vol. 58, No. 122

November 1, Annapolis Royal. Instructions by Vetch to Mascarene, on his proceeding to Minas to deal with the inhabitants. He is to inform them they are in the position of prisoners of war; that they are to contribute beaver or 6,000 livres in money or peltry, with 20 pistoles a month for Vetch's table. This will secure to them freedom to trade with Annapolis Royal. The precautions he is to take during the expedition. B. M., add. 19070 fo. 17

1712.
August 12, Annapolis Royal. Vetch to Secretary of State (Dartmouth). No answers being received to letters concerning the garrison and the agent not being paid for his disbursements has abandoned the agency, which no one else will take up. Is afraid they shall have to abandon the place for want of provisons. Desertion of soldiers to the French, brought back on a reward being offered; five condemned to die but four reprieved and one shot. Stragglers attacked by Indians and two killed, the rest carried prisoners to Canada. The respective cost of daily rations at Boston and Annapolis, being nine pence for seamen at Boston and only seven pence halfpenny for the garrison at Annapolis, although a heavy freight has to be paid for the latter. 157

August 24, Dunquerque. Hill to the same. Sends copy of a letter from an engineer (Vane) whom he had appointed to the garrison of Annapolis Royal, containing charges against Vetch. A. & W. I. vol. 594

Enclosed. Vane to Hill, dated 5th May, containing charges of extortion against Vetch. Fo. 26

October 20, Windsor. Commission to Colonel Nicholson to be general and commander-in-chief in Nova Scotia and Newfoundland. A. 4, B. T. N. S. vol. 1

His commission to be Governor of Nova Scotia and Annapolis Royal is of the same date. A. 5

December 9, Whitehall. Geo. Tilson to Lords of Trade. Desires to know, for Lord Bolingbroke, the grounds for the report of the commissioners that Cape Breton has always been esteemed a part of Nova Scotia.
A. 2, B. T. N. S. vol. 1

December 10, Whitehall. Lords of Trade to Tilson. Send minute of the 4th of April, showing the reasons for the report of their Lordships that Cape Breton is esteemed a part of Nova Scotia, with copy of pass signed by Subercasse; the original is in the hands of Major Mullins.
B. T. N. S. vol. 32, p. 32

A duplicate is in A. & W. I. vol. 594, fol. 28. For the pass see A. 50 in B. T. N. S., vol. 1, dated 23rd October, 1710. The title on which the Lords of Trade rely in stating that Cape Breton was always esteemed a part of Nova Scotia is in the words:—"Daniel Dauger de "Subercasse, chevalier de l'ordre militaire de St. Louis, Gouverneur "de l'Acadie, de Cap Breton, isles et terres adjacentes despuis le Cap "de Roziers du fleuve St. Laurent, jusqua Louest de la Rivière De "Kainbeky."

December 12, Whitehall. Tilson to Lords of Trade. A duplicate of the letter dated 9th December, and answered on the 10th, apparently an error in the date when entered in the journals. See entry book. B. T. N. S. vol. 32, p. 31

1713.
January 22, Annapolis Royal. Vetch to Secretary of State (Dartmouth). Urges earnestly the distressed condition of the garrison and the necessity for attention being paid to its wants. A. & W. I. vol. 58, p. 167

January 27, Whitehall. Lowndes to Lords of Trade. To consider proper instructions for Nicholson. B. T. Plantations general. Vol. 9.

(An abstract is in B. T. N. S. vol. 32, p. 33, the title in B. T. N. S. vol. 1.)

January 29, Windsor. Commissions to Nicholson. B. T. N. S. vol. 32, pp. 34, 36

(Duplicates, dated 20th October, 1712, marked A. 4, and A. 5, in B. T. N. S. vol. 1).

February 10. Memorial from Nicholson for allowances for himself, his secretary, &c., B. T. Plantations General, vol. 9.

(Abstract in B. T. N. S. vol. 32, page 38. Title marked A. 6 in vol. 1).

February 11, Whitehall. Lords of Trade to Treasury respecting proper allowances to Nicholson, his secretary, &c. B. T. Plantations General, vol. 9.

Treasury to Lords of Trade, with draught of instructions to Nicholson for arrangements for the recovery of prize money. B. T. Plantations general, vol. 9.

(Abstract in B. T. N. S., vol. 32, p. 38. Title is marked A. 7 in vol. 1).

Treasury to Lords of Trade. Referring for report the establishments proposed by the Ordnance for Barbados, Jamaica, New York and Annapolis. B. T. N. S. vol. 32, p. 39

Enclosed.—The proposals A. 9, A. 10, B. T. N. S., vol. 1. The title is given at A. 8, vol. 1; letter and extract in B. T. Barbados, S. 66, vol. 17, the extract merely gives the amounts. The proposal A. 9 is entitled: "Establishment of the Trayn of Artillery at Annapolis Royal, made in the year 1711." That marked A. 10: "An establishment of officers, "ministers, &c., of the Garrison of Annapolis for the year 1713." The term ministers apparently applies to the store-keeper, &c.

Treasury to Lords of Trade. Return the instructions, and thirteen heads of inquiry for Nicholson. B. T. Plantations General, vol. 9

Lords of Trade to Secretary of State (Dartmouth). Transmit instructions to Nicholson with additions. B. T. N. S. vol. 32, p. 40.

Instructions to Nicholson: "Our Governour of our Province of Nova "Scotia and Our General and Commander-in-chief of Our forces there." 42

Additional instructions. 72

Forms for entry and clearance of ships arriving at and sailing from Nova Scotia. 78

Pontchartrain to Vaudreuil. Orders the cession of Acadia, Newfoundland and Hudson's Bay. B. 111. B. T. N. S. vol. 2

Circular from Lords of Trade to Nicholson, with proclamation of peace with France and copy of the treaty of Utrecht in B. T. Plantations General, Vol. 9. See also B. T. N. S. vol. 32, p. 80

Vetch to Secretary of State (Dartmouth). He had dismissed the Indian Company, for reasons given to the commanding officer of that Company, copy of which is enclosed. A. & W. I. vol. 594, fo. 30

Enclosed. Order to Peter Mason, first lieutenant of the Indian company, that on account of the extensive desertion the company is to be dismissed. fo. 31

Nicholson to Secretary of State (Dartmouth). Has received the royal commands concerning the French enjoying their estates, &c. Sends receipt for packet; hopes to receive the letter for the governor of Canada. A. & W. I. vol. 58, p. 168

Warrant from the Queen, directing Nicholson to allow such of the French inhabitants of Nova Scotia and Newfoundland as desire to be subjects of Her Majesty "to retain and enjoy their lands and tenements "without any Lett or molestation.....or to sell the same if they "shall rather chuse to remove elsewhere." A. 27. B. T. N. S. vol. 1

(Duplicate in B.T.N.S. vol. 32, p. 103).

Lords of Trade to Secretary of State (Bolingbroke). Send report on the proposals of the disbanded officers and soldiers for settling in Nova Scotia, showing the cost and referring the question to His Lordship. A. 13, B. T. N. S. vol. 1

Enclosed. The proposals with calculation of the expense, &c. (voluminous).

Nicholson to Secretary of State (Dartmouth). Is urging the sailing of the "Adventure." Hopes to reach Annapolis in time not to lose the benefit of the season. Proposes to visit Placentia, where he shall leave the order from the Court of France to the Governor to deliver it up. The royal commands concerning the French inhabitants who hold lands in Acadia and Newfoundland shall be obeyed. A. & W. I. vol. 58, p. 169

1711. sell the wounded prisoners: the unwounded to be sent to Canada. Arrival of two vessels from Canada at Baie Verte with provisions, ammunition, &c., and some men, to join those already there to block the way. Has ransomed seven of the wounded men: the well, 40 in number sent to Canada. A. & W. I. vol. 58, No. 146

July 5, Annapolis Royal. Instructions by Vetch to Sir Charles Hobby, deputy governor of Annapolis Royal. B. T. N. S. vol. 32, p. 148

August 8, Off Canso. Hovenden Walker to Vetch. Thanks for caution against the French pilot, whom he did not intend to trust. In case of a fog when off Cape Breton, shall fire a gun every two minutes till joined by him (Vetch). A. & W. I. vol. 58, No. 128

August 10, Off Cape Breton. Vetch to Secretary of State (Dartmouth). Has been ordered to leave Annapolis to a deputy, Sir Charles Hobby, and proceed to Boston to take command of the Provincial troops who, with British troops under Hill go by sea to attack Canada. The arrangements for the support of the garrison. The extraordinary personal expenses he has been subject to without any allowance. 147

August 13, Spanish River. Hill to Vetch. The arrangements he has made for the troops, Indians, &c., to garrison Annapolis Royal. 129

September 11, Spanish River. Vetch to Hill. The necessity for a garrison at Annapolis Royal of at least 500 men, with at least 60 Indians; the qualifications of Major Livingston for procuring the Indians. Until his return a company of the New England Indians should be kept. Asks for a man of war to protect the communication with Boston, whence all the provisions are received. 148

September 12, Treasury. Treasury to Lords of Trade. Respecting bills drawn by Vetch. Is there not money of Her Majesty's revenue in Nova Scotia to meet the expense? It does not appear to have been provided by Parliament. B. T. N. S. vol. 32, p. 11

Report of same date, giving an analysis of the services &c., for which the bills were drawn. 13

(Duplicates of both papers are in B. T. New England, vol. 42, marked G. 340).

September 13, Whitehall. Lords of Trade to Treasury. From the failure of the governors to send accounts, their Lordships are not aware whether or not there are funds available in Nova Scotia to meet the bills drawn by Vetch. Refer to Blatherwayt, the auditor. B. T. N. S. vol. 32, p. 18

October 3, Albany. Presents to be granted to the Indians will be kept in Onondaga castle, as a remembrance of their co-operation with Nicholson. A. & W. I. vol. 58, No. 113

October 20, Boston. Journal by Vetch of a voyage designed to Quebec from Boston in July, 1711. (Undated; Vetch returned to Boston on the date in margin). 149

November 16, Boston. Vetch to Secretary of State (Dartmouth). Account of the state of the garrison of Annapolis Royal, which was left in charge of Cawfield, as deputy governor. Oath of allegiance taken by French inhabitants and offer of peace made by the Indians. These were, he believes, in the belief that Canada would surrender, but on hearing of the disaster, he has little doubt that the garrison will be attacked early in Spring. 150

November 26. Boston. Vetch to Lords of Trade. The large quantity of minerals in Nova Scotia, especially copper, iron and marble, besides masts and naval stores; the vast quantity of fish and convenient harbours. Proposes free transportation, tools and subsistence for twelve months to those who wish to settle; the men should form part of the garrison, as they must be constantly blockaded, so long as Canada is not reduced and that there are no inhabitants but Roman Catholics and Indians, who will observe no oaths that they take, as they at once obtain absolution. Were

1813.
August 11, Treasury. T. Harley to Lords of Trade. For an opinion on a proposition of disbanded officers and soldiers to settle in Nova Scotia, on receiving a year's pay. A. 12, B. T. N. S. vol. 1

(A duplicate, dated 14th, is in vol. 32, p. 80. The proposal had been sent to Bolingbroke by the Lords of Trade on the 13th July, see A. 13).

August 20, Treasury. Harley to Lords of Trade. Sends memorial from Thomas Coram respecting proposed settlement to be considered with the rest of the papers. The memorial is enclosed. A. 14, B. T. N. S. vol. 1

(See also vol. 32, p. 81.)

November 30, Annapolis Royal. Mascarene. Account of the raising and training of the matrosses (Royal Artillery) ordered by Vetch. B. M. add. 19070, fo. 26

Followed by an account of the money drawn from Borland on account of the matrosses and by a list of the men. 29, 30

November —, Annapolis Royal. Memorial by Mascarene to Nicholson, containing a statement of affairs in the garrison of Annapolis Royal. B. M. add. 19070 vol. 2

December 11, Boston. Cuminge to Lords of Trade. Respecting Newfoundland, fortifications at Cape Breton, &c. B. T. N. S. vol. 32, p. 82

(The title is marked A 15 in vol. 1; the letter is among the Newfoundland papers, where is also the letter to Lord Bolingbroke, of 19th January, 1714, enclosing the above.)

December 12, Boston. Vetch to the Lords of Trade. Account of the designs of the French on Cape Breton &c., and of their intended settlements and fortifications, the chief part of the informations purporting to be from a letter written from France to the missionary to the Indians at Cape Sable. A 16. B. T. N. S. vol 1

(There is a duplicate in vol. 32, p. 82.)

December 14, Boston. Nicholson to the Lords of Trade. Has received orders to publish the peace, but had not touched at Annapolis for want of pilots. Sent word to Caulfield and sends extracts of correspondence. Proposes to go to Annapolis in Spring. Sends also copy of correspondence with Governor Hunter and with Craven of South Carolina, with other correspondence. A 17. B. T. N. S. vol. 1

Enclosed. List of papers sent to Caulfield and correspondence. A. 18
Correspondence with Hunter. A. 19
Correspondence with Craven, South Carolina. A. 20
Letter to the Admiralty. A. 21
Letter to the Ordnance. A. 22
Letter to the Commissioners of Customs, Boston. A. 23

(Duplicate of letters is in Vol. 32, p. 86.)

1714.
January 7. State of the actual possessions of the Crown of Great Britain in North America, at the treaty of Utrecht. A. & W. I. vol. 64, p. 71

Abstract of bills drawn by Vetch since the reduction of Annapolis Royal. The items are given and the amounts paid and unpaid. A. 34. B. T. N. S. vol. 1.

February 20, Boston. Mascarene to Nicholson. He has received no pay for the command of the matrosses. B. M. add. 19070, fol. 31

April 6. Circular with proclamation and treaties of peace and commerce with Spain. B. T. N. S. vol. 32, p. 89

(See Plantations General, Vol. 9.)

June 17. Minute of evidence given by Vetch to Lords of Trade, respecting Nova Scotia and Cape Breton. In the first there is no settlement except at Annapolis; a good settlement may be made on Cape Breton; the French are fortifying three places there. The best fishing in America is at that island. Ordered to put his statement in writing. B. T. Journals, vol. 24, p. 237

August 3, London. Vetch to Lords of Trade. Respecting the limits between France and Great Britain in North America. Can say nothing relative to Hudson's

1814.

Bay, but shall be ready to give information concerning the other boundaries when called on. The claims of the French to the territories encircling the British possessions all over the continent. (The letter is vague in its terms.) A. 24, B. T. N. S. vol. 1

(An abstract is in vol. 32, p. 89 and a duplicate in A. & W. I. vol. 594, fol. 33.)

August 6, Whitehall. Lords of Trade to Lords Justices, with draught for proclaiming King George in Nova Scotia. B. T. Plantations General. vol. 38, p. 51

(An abstract in B. T. N. S. vol 32, p. 89.)

August 13. Statement by Vetch to Lords of Trade that on the taking of Nova Scotia, the French inhabitants took the oath of allegiance, but as soon as the troops were withdrawn they were absolved by a priest, besieged the fort and did not return to obedience till peace was restored. B. T. Journals, vol. 24, p. 290

August 14, Whitehall. Reports of the Lords of Trade, on memorial from Vetch and from the Hudson's Bay Co. to settle the boundaries in North America, between Great Britain and France. A. & W. I. vol. 594, fo. 36

September 20, Annapolis Royal. Petition by privates of the garrison of Annapolis, addressed to the Duke of Marlborough for arrears of pay, &c., with minutes of a council of war respecting clothing. A. 64. B. T. N. S. vol. 1

(Laid before the Lords of Trade, 12th May, 1715.)

November 15, Whitehall. Townshend to Lords of Trade. To consider and report on a letter from Pontchartrain to Iberville. A. 26. B. T. N. S. vol. 1

Enclosed. Pontchartrain to Iberville (in French), reporting the steps taken to enable the inhabitants to remove to Isle Royale (Cape Breton) in accordance with the the 14th article of the treaty of Utrecht.

(Copies are in vol. 32 at pages 90 and 100; a translation is at p. 101.)

November 24, London. Vetch to Lords of Trade. In answer to queries, states that there were about 500 French families in Acadia, and Nova Scotia, or a total of about 2,500, all of whom will remove except two families. About 500 families are in Cape Breton, to whom the King gives 18 months provisions and ships and salt to carry on the fishery; the garrison besides consists of seven companies. The bad effect of their removal and increased danger from Cape Breton by the added population of French and Indians. The progress of the fortifications at Louisbourg and St. Anne. The early removal of the French; some have already gone, the others intend to go next Summer. The removal of all their cattle, sheep and hogs will entirely strip the colony; to replenish it from New England will cost about £40,000, besides other disadvantages, as contrasted with the immediate stocking of Cape Breton by the removal and other benefits detailed. The policy of allowing the French to sell their land not provided for in the treaty of Utrecht, nor would the inhabitants have left had they not been threatened by the French officers to be treated as rebels if they did not remove. The land, besides, was promised as a reward to the captors. A. 28, B. T. N. S. vol. 1

Proposals (undated) follow for the settling of Nova Scotia. A. 29

(Duplicate of A. 28, is in B. T. N. S., vol. 32, p. 105, the title of A. 29 is given, but not the document, at p. 113.)

cember 2, napolis yal. Account of the ceremony in proclaiming the accession of George I. A. 88. B. T. N. S. vol. 1

The proclamations, oaths administered, with signatures, &c., follow. A. 89

The obligation taken by the French inhabitants. A. 90

cember 20, hitehall. Townshend to Lords of Trade. Transmits the case of Vetch for consideration. A. 31, B. T. N. S. vol. 1

Enclosed. Vetch's memorial, stating his services and asking for payment of arrears due him and of the amounts advanced by Borland for

1714. the support of the garrison of Annapolis Royal. In a second memorial, Vetch states the steps taken for the reduction of Nova Scotia and for its defence, and prays to be restored to the command.

Appended are the Queen's instructions and other documents in support of Vetch's claims. The latter are fifteen in number, namely: (1). Copy of a memorial of the Council of war, relating to the settlement of Annapolis Royal, 14th October. 1710. (2). Copy of a letter from Vetch to Dartmouth, 10th March 1711 (Possibly 1712, but a comparison with other letters does not make the point clear; the change of style did not take place till 1752). (3). Copy of a letter from Vetch to the Lord Treasurer, May 1711. (4). Copy of a letter from Vetch to Dartmouth, May, 1711. (5). Copy of the proceedings of a Council of war, held at Annapolis Royal, 15th June, 1711. (6). Copy of a letter from Vetch to the Lord Treasurer, 4th December, 1711. (7). Copy of a letter from Vetch to Dartmouth, 4th January, 171½. (8). Copy of several letters from Vetch to Sir Hovenden Walker, the Lord Treasurer, Lord Dartmouth, Board of Ordnance and General Hill, as also one from General Hill to him and the journal of the voyage designed to Quebec from Boston, in New England, and a muster roll, 1711. (The muster roll is of the gunners, &c., "belonging to the establishment of the Tower, in garrison at her Majesty's fort, at Annapolis Royal, ye 6th Nov., 1711." (9). Vetch to the Lord Treasurer, 8th August, 1712. (10). To the Lord Treasurer of the same date. (11). To Lord Dartmouth same date. (12). Vetch to the Governor of New England, 16th October, 1712. (13). Vetch to Mr. Secretary St. John, 20th November, 1712. (14). Several letters to the Board of Ordnance, the Lord Treasurer and Lord Dartmouth, January, 171⅔ and May, 1713. (15). Vetch to Dartmouth.

(Duplicates of memorial and letter in B. T. N. S. vol. 32, p. 113. The titles of the enclosed documents are given in the same volume at pages 135, 136).

December 30, Whitehall. Privy Council to Lords of Trade, referring petition of disbanded troops for lands for a settlement.

B. T. New England.

(Abstract in B. T. N. S. vol. 32, p. 13; title at A. 30 in vol. I).

No date. Memorial of the officers at Annapolis Royal to the Queen, for provisions to the troops, besides their pay.

A. & W. I. vol. 594, fo. 35

1815. January 3. Answers of the Indians of St. John and Penobscot. Answers of the priest and inhabitants of St. John, Checanectopi (Chignecto) and Minas. List of inhabitants of Minas and Chignecto, proclamation of King George in Nova Scotia. A. 93 to A. 100. B. T. N. S. vol. I.

(Titles only in B. T. N. S. vol. 32, pp. 237, 238).

January 3, Annapolis Royal. Caulfield to Lords of Trade. Had sent account of the proceedings at Annapolis on proclaiming the accession of George I.; now transmits what took place elsewhere. The hardships of the garrison from want of pay and provisions; supplies had to be obtained from New England.

A. 91. B. T. N. S. vol. I.

(Duplicate in vol. 32 p. 235).

Abstract of bills drawn by Vetch. A. 34, B. T. N. S. vol. I).

(Duplicate in vol. 32 p. 137).

January 12, Annapolis Royal. Caulfield to Lords of Trade. Had proclaimed the death of Queen Anne and the accession of George I., and he, his officers and the English inhabitants had taken the oaths which the French have refused to take, but have signed a paper which he transmits and asks instructions. The whole of the French inhabitants have been prevailed on by the French officers to remove to Cape Breton. A. 87, B. T. N. S. vol. I.

(The documents accompanying the letter follow, marked A. 88, A. 89, A. 90. There is a duplicate of A. 87 in vol. 32, and the titles of the others).

1715.

Pringle to Lords of Trade. The copies of Vetch's letters compared with the originals. No orders to Vetch respecting Nova Scotia can be found. A. 37, B. T. N. S. vol. 1

(There is a duplicate in vol. 32, p. 141).

Captain Aldridge to Nicholson. Arrival after threatened shipwreck. Caulfield will obey instructions. All the garrison have taken the oaths to the King. The French have refused, but they are not to be trusted if they took five thousand oaths. The men are all in good health, which is a mercy, as there is not so much as a plaister for a cut finger in the garrison. B. 15, B. T. N. S. vol. 2

John Chamberlayne to Lords of Trade. His strong testimony in favour of Colonel Vetch. A. 35, B. T. N. S. vol. 1

(The title is in vol. 32, p. 137).

Petition by Sir Charles Hobby (undated, received on date in margin). To be appointed governor of Annapolis Royal; attached is a memorial in his favour. The petition was referred to the Lords of Trade on the 7th of January, 1704-5, a palpable error, as it is addressed to the King, the Queen having died in 1714 and begins "That her late Majesty in April, 1710," &c. It is correctly endorsed. 1714-15. A. 36, B. T. N. S. vol. 1

The orders left by Vetch for Hobby's guidance during his (Vetch's) absence, dated, 5th July, 1711. A. 38, B. T. N. S. vol. 1

Minute of the evidence of Dummer respecting Vetch and Hobby, 17th January, followed by the evidence of Willard and others, with the defence by Vetch, continued on the 18th with Hobby's charge against Vetch. B. T. Journals, vol. 110-

There is a duplicate. B. T. N. S. vol. 32, p. 137

Stanhope to Lords of Trade. Transmits petition of Hobby for consideration. B. T. N. S. vol. 32, p. 141

Lords of Trade to Stanhope. Report on the case of Vetch, referred to the Board on the 20th of December, 1714. B. T. N. S. vol. 32, p. 142

Solomon Merrit to the Lords of Trade. Recommending Captain Blackmore. Attached is a memorial from Blackmore proposing to fit up a schooner to survey the coast of Nova Scotia for the purposes of settlement. Merrit's letter is dated "Savage Garden near Croch Fryers" (Crutched Friars). A. 39, B. T. N. S. vol. 1

(A duplicate of the letter, but not the memorial, is in vol. 32, p. 150).

Undated memorial (read on the date in margin) from disbanded troops for a settlement in Nova Scotia. B. T. N. S. vol. 32, p, 151

(Only the title, which is also in A. 40, vol. 1. The memorial is among the New England papers).

Commission to Vetch to be Governor of Nova Scotia and of the town and garrison of Annapolis Royal. A. 80. B. T. N. S. vol. 1

(A duplicate is in vol. 32, p. 223.)

Adams to Steel, Boston. On Nicholson's arrival he pulled down the forts, drove off the French, and carried away all the English he could, so that the place is left desolate. He passed his time in implacable malice against Vetch and has done more mischief in two months than Vetch could have done in his whole life. There is not a soul in the place, French or English, except two, but hates and abhors his name. A. 81, B. T. N. S. vol. 1

(An abstract is in vol. 32, p. 225.)

Stanhope to Lords of Trade. Refers Hobby's petition for consideration. A. 41, B. T. N. S. vol. 1

(Hobby's petition and other documents sent with the reference. A duplicate of the letter is in vol. 32, p. 152, the titles of the other papers are noted.)

1715.
February 7, Whitehall. Lords of Trade to Stanhope. They have no objection to Hobby being appointed Lieut.-Governor of Annapolis. B. T. N. S. vol. 32, p. 153.
(Duplicate in A. W. I. vol. 594. fo. 38.)

February 10, Whitehall. Papers of various dates laid before the Lords of Trade, on the date in the margin. Proclamation by Nicholson to the French inhabitants of Annapolis Royal to attend a meeting to hear and consider the proposals to be made on behalf of the French Governor of Cape Breton for their settlement there, with the conditions offered by the King of France. The proceedings, list of the inhabitants, etc., and their determination to embark for Cape Breton. A. 43, B. T. N. S. vol. 1
Additional documents on the same subject, with the lists of the inhabitants of Grand Pré, Rivière des Gasparots (Gaspareaux), Rivière de Pessequid, Rivière des Habitants, Riviére de la Vieille Habitation and Copequid (Cobequid). There are also the names of the inhabitants of Minas, signed to a resolution, dated 9th September, 1714, to go to Cape Breton.
(The titles of these papers are in vol. 32, p. 154.)

February 10, Whitehall. Letters of various dates, laid before the Lords of Trade, from December, 1713, to August, 1714, between Nicholson and Duvivier, L'Hermite and St. Ovide. A. 45, B. T. N. S. vol. 1

February 15, Whitehall. Further proposals from Coram and others respecting a new settlement in North America. B. T. N. S. vol 32. p. 154
(The titles only are given here and in A. 46. vol. 1. The proposals are among the New England papers.)

February 15, London. Memorial (undated, received on date in the margin) of John Borland, for payment of bills drawn by him for victualling Annapolis Royal. A. 47, B. T. N. S. vol. 1.
(The title is in vol. 32, p. 155.)

February 17. Memorial from officers concerned about a settlement in North America, with reasons for making the same between Sagadehock and St. Croix, preferably to any place between Cape Sable and Cape Breton. A. 51, B. T. N. S. vol. 1.
(The title is in vol. 32, p. 165.)

March 8, Whitehall. Lords of Trade to Nicholson. For report on Nova Scotia. B. T. N. S. vol. 32, p. 166

March 9. Vetch to Lords of Trade. Calls attention to the ruin that will be caused to Nova Scotia if the French are allowed to remove to Cape Breton with their cattle and effects. A. 52 B. T. N. S. vol. 1.
A memorial from Shirreff follows, dated 24th March on the same subject. A. 55
(A duplicate of A. 52 is in vol. 32, p. 166, and title of A. 55 is in the same volume p. 185.)

March 9, Whitehall. Lords of Trade to Vetch. He is to bring Shirreff to the Board on Tuesday next. B. T. N. S. vol. 32, p. 168

March 15. Memorial of Sir Charles Hobby on the removal of the French inhabitants, to the same effect as Vetch's letter of the 9th and praying that he may be ordered to return to Annapolis to take command. A. 53. B. T. N. S. vol. 1
(The title is in vol. 32, p. 169.)

March 15, Whitehall. Memorial laid before the Lords of Trade on the date in margin, of Denyes to the King of France, dated 1687 (which see), in relation to the products of Nova Scotia and the improvement of which it is capable (a translation). A. 54. B. T. N. S. vol. 1
(A copy is in vol. 32, p. 169.)

March 17, Whitehall. Lords of Trade to Stanhope. Send report on Nova Scotia, to be laid before the King. B. T. N. S. vol. 32, p. 170
The report follows. 171 to 183

March 25, Whitehall. Pulteney to Lords of Trade. Transmits a memorial from Col. Robert Reading for consideration and report. A. 56. B. T. N. S. vol. 1

1715.

Enclosed. The memorial (in French) by Reading, states his services in the expedition against Port Royal in 1710, and asks to be appointed to the command. A memorial (in English) to the same effect, but entering more into detail. A. 57

A copy of the memorial in English, identical with the one in French, enclosed in A. 56, with a note from Stanhope to the Lords of Trade. A. 61

(The title of the memorial is entered on the 1st April in volume 32 p. 184.)

April 2, Whitehall. Stanhope to Lords of Trade. For a report on the fisheries of Newfoundland, Cape Breton, &c. B. T. N. S. vol. 32, p. 184

(The title is given here and at A. 58 in vol. 1. The letter is among the Newfoundland papers.)

April 9, Whitehall. Stanhope to Lords of Trade. Transmits petition from Reading for consideration and report. B. T. N. S. vol. 32, p. 202

The petition is at p. 203, but see note to Pulteney's letter of 25th March.

April 9. List of papers laid before the House of Commons relating to Nova Scotia, Newfoundland and Cape Breton. A. 59, B. T. N. S. vol. 1

April 9. (A duplicate is in vol. 32, p. 185.)

April 9, Admiralty. Admiralty to Lords of Trade. Transmit letter from Captain Stewart of the "Albrough," respecting a great number of French vessels bound for Cape Breton A. 60, B. T. N. S. vol. 1

Enclosed. Stewart's letter, dated Falmouth, 4th April, containing the information mentioned.

(There are duplicates in vol. 32 pp. 200, 201).

pril 11, hitehall. Lords of Trade to Stanhope. They have already reported in favour of Vetch, who has since been appointed Governor of Annapolis and cannot recommend his removal. B. T. N. S. vol. 32, p. 205.

pril 20, maica. Copy of affidavit by Jethro Furbon, relating to the French settlement and fishery at Cape Breton. B. 12. B. T. N. S. vol. 2

pril 30, napolis yal. Statement of wheat, pease, etc., in the garrison, and the period during which the supply will last. A. 92, B. T. N. S. vol. 1

(The title is in vol. 32, p. 237, which calls it: "Commisaries account of corn received into the store.")

ay 12, ndon. Vetch to Lords of Trade. Statement of the manner of victualling the garrison at Annapolis. The insufficiency of the clothing supplied and the exorbitant price charged. A. 62, B. T. N. S. vol. 1.

Invoice of the clothing signed by Shirreff. A 63.

(The titles are in vol. 32, p. 206, see also B. T. Journals, vol. 110, see also 13th, 14th, and 16th May, in same volume).

ay 12, hitehall. Minute of the Council of War at Annapolis, relating to the clothing of soldiers &c., read on date in the margin. For the minute see 20th September, 1714, marked A. 64, in volume 1. The title only in vol. 32, p. 206.

ay 12. Memorial (undated) of the officers of the garrison of Annapolis, on behalf of the troops under their command, for an allowance of provisions in addition to their pay. The memorial is addressed to the Queen, but not laid before the Board till the date in margin. A. 65, B. T. N. S. vol. 1

(The title is in vol. 32, p. 207).

ay 13. Memorial (undated) of Henry Norton, relating to the clothing for the soldiers at Annapolis. A. 66, B. T. N. S. vol. 1

(The title is in vol. 32, p. 207).

ay 13. Queen's warrant for the establishment of the officers of the garrison of Annapolis Royal, and of the four independent companies to be maintained for its defence. The warrant is dated 30th July, 1712, the date in the margin is that on which it was laid before the Lords of Trade. A. 67, B. T. N. S. vol. 1

1715.

(The title is in vol. 32, p. 207.)

May 13. Report of survey on stores left on the return of the expedition to Canada in 1711, with warrant for Nicholson to receive them to be used for the public service in North America. The warrant is dated 7th January, 1713, and laid before the Lords of Trade on the date in margin. A. 68, B. T. N. S. vol. 1

(The title is in vol. 32, p. 207).

May 13. Memorial (undated) of John Mulcaster, agent and paymaster to the garrison and four independent companies at Annapolis Royal, respecting stores, clothing, &c., laid before the Lords on the date in margin. A. 69, B. T. N. S. vol. 1

Attached are five papers in support of the memorial. A. 70 to A 74

Other documents. A. 75 to A. 77

(A duplicate of the memorial is in vol. 32, p. 208, the titles of the documents follow in that volume).

May 15, Whitehall. Stanhope to Lords of Trade. Transmits a memorial from New England for consideration and report. The memorial is undated. It sets out that Nova Scotia was to form part of the Government of New England, and that it is a violation of the charter to erect independent governments there. A. 79, B. T. N. S. vol. 1

(Duplicates of letter and memorial are in vol. 32, p. 213).

May 16, London. James Caulfield to Lords of Trade, enclosing extract of letter from his brother Major Caulfield, Lieut.-Governor of Annapolis.

Enclosed. Extract from letter dated 28th January, 1715, respecting the hardships of the garrison and the ill treatment he had received in relation to his accounts. A. 78, B. T. N. S. vol. 1

(The title is in vol. 32, p. 213).

May 18. Whitehall. Lords of Trade to Stanhope. Had examined Vetch, Nicholson and other officers, respecting provisions to Annapolis; these have been only sufficient till the end of June or middle of July. The provisions have been sent from Boston, for which contracts should be made for a more regular supply. A memorial has been presented by the garrison for provisions besides their pay, as the inhabitants not only cannot help, but on the contrary, depend on provisions sent to the garrison. This evil would be intensified if the French inhabitants retire with their cattle and effects to Cape Breton. A further supply of provisions for the troops recommended. The insufficiency of the clothing, both as regards quantity and quality, little regard being paid to the good of the service, or the conservation of the troops. Suggest the examination of the question by proper officers. There is no bedding and the arms are in bad condition. B. T. N. S. vol. 32, p. 216

May 19. Whitehall. Lords of Trade to Stanhope. That having sent a report of the state of Nova Scotia, they can express no opinion on the proposal to unite Nova Scotia with Massachusetts.

(The title is in B. T. N. S. vol. 32, p. 223. The letter is in B.T. New England, vol. 43, p. 26, and is an answer to Stanhope's, dated 15th May, marked A. 79 in B. T. N. S. vol. 1.)

May 24. Shirreff to Lords of Trade. The monopoly in the hands of Boston merchants for the supply of Annapolis, has caused exorbitant prices to be charged, causing great complaints. Asks that a magazine be established at Annapolis, where goods could be obtained at a moderate cost. A. 83. B. T. N. S. vol. 1

(The title is in vol. 32, p. 226.)

May 24. Whitehall. Stanhope to Lords of Trade. Asks for opinion upon several papers received from d'Iberville relating to the French of Newfoundland, trade with Martinique, inhabitants of Nova Scotia and the consul at Tripoli. B. T. N. S. vol. 32, p. 225

(An abstract; another is marked A. 82 in vol. 1. For letter and answer see Newfoundland).

Stanhope to Lords of Trade. Encloses extracts from letters received from d'Iberville for consideration and report. The extracts (enclosed) are from letters by Pontchartrain, complaining of encroachments on the fisheries on the French shore of Isle Royale (Cape Breton).
A. 84. B. T. N. S. vol. 1

(Duplicates in vol. 32, p. 228.)

Lords of Trade to Stanhope, in answer to letter of 30th May. Respecting complaints by d'Iberville; by the 12th Article of the Treaty of Utrecht, the French are excluded from fishing off the coast of Nova Scotia, from Sable Island to the South West, but no such exclusion is imposed on the subjects of Great Britain. Refer to previous letters on the subject of the removal of French inhabitants. B. T. N. S. vol. 32, p. 226

Memorial by Shirreff to the Lords of Trade, stating his services at Annapolis Royal, for which he received no pay, and praying for employment. A. 85. B. T. N. S. vol. 1

Another to the same effect addressed to Stanhope. A. 86

(The titles are in vol. 32, p. 231).

Order in Council, referring to the Lords of Trade report respecting the taking of the oaths in Nova Scotia, for consideration and report.
A. 102, B. T. N. S. vol. 1

The accompanying documents are marked A. 103 to A. 106.

(A duplicate of A. 102 and the titles of A. 103 to A. 106 are in vol. 32. pp. 248, 249).

Lords of Trade to Stanhope. Recommend Shirreff for employment.
B. T. N. S. vol. 32, p. 231

Same to same. Recapitulate subjects in previous letters. Speedy means should be taken to support the garrison of Annapolis, as otherwise it would probably fall into the hands of the French, to the danger of the other Colonies. The opinion is strengthened by the refusal of the French inhabitants to swear allegiance and the Eastern Indians being entirely in the French interest. It will be difficult to gain over the inhabitants, so long as French missionaries are among them.
B. T. N. S. vol. 32, p. 239

Stanhope to Lords of Trade, referring the question of how to supply the garrison of Annapolis with provisions. A. 101, B. T. N. S. vol. 1

(A duplicate in vol. 32. p. 243).

Lords of Trade to Stanhope. Repeat their recommendation that a contract should be made with Boston merchants for the supply of provisions to Annapolis and that clothing should be sent there before winter. The present method of supplying Placentia should be continued. Can say nothing about the policy of reducing the garrisons.
B. T. N. S. vol. 32, p. 244

Lords of Trade to Pulteney. For lists of the effectives in the garrisons of Annapolis and Nova Scotia. B. T. N. S. vol. 32, p. 250

Account of clothing received out of Her Majesty's stores from Mr. John Netmaker by order of Nicholson for supplying the troops in Annapolis Royal. The total cost was £2,977.14.6. The return is not dated (probably 1714); it was laid before the Lords of Trade on the date in margin. A. 107, B. T. N. S. vol. 1

Correspondence between Nicholson and French governors, etc., in Cape Breton, respecting the seizure of a schooner and other subjects.
A. 45, B. T. N. S. vol. 1

Pulteney to Lords of Trade. Transmits establishment of Annapolis and Placentia, but no state of clothing or effective men yet received.

The lists of officers are attached to the letter, with the establishment and cost at Annapolis. A. 108, B. T. N. S. vol. 1

1715.

(Duplicate in vol. 32 of letter and titles of papers p. 251).

July 22, Whitehall. Lords of Trade to Caulfield. Supply of provisions sent for Annapolis. He is to send account of the state of the Province under several heads. 1. The quantity of land fit for corn (wheat) and the probable production. 2. If the French inhabitants should remove and the lands be granted near Annapolis could provisions not be supplied on the spot? 3. What quantity of trees are there fit for masts, timber, tar, &c., and how are they situated for water carriage? 4. How can the Indians be gained and preserved in the King's interest? 5. To report on the state of the French in Cape Breton in every respect. B. T. N. S. vol. 32, p. 252

August 4. Dudley to Lords of Trade. Respecting the taking of fishing vessels by Indians at the instigation of the French; the ill consequences of the French settlements on Cape Breton; asks for protection for the fisheries from Cape Cod eastward. The Indians have given up the vessels.
A. & W. I. vol. 594, fo. 41

August 5, St. James's. Molyneux to Lords of Trade. For copy of two reports on the proposal of Coram and others for establishing a new colony in North America. B. 1, B. T. N. S., vol. 2

August 5, Whitehall. Lords of Trade to Molyneux, secretary to the Prince of Wales. Send papers relating to Coram's proposals for a settlement.
B. T. N. S. vol. 32, p. 255

August 13, London. Nicholson to Lords of Trade. Sends extracts from letters to Mears and Mascarene. (The letters refer to Indian attacks on vessels at Cape Sable, No. 1.) Sends copy (No. 2) of minute of Council concerning Mascarene. Does not know about the projected fort at Pejopocot (sic), but is afraid it may cause jealousy amongst the Eastern Indians, who if wanted, or that they are feared, will become very haughty and insolent. The French, too, will take advantage of this feeling to make them break from the English. Latour, now at Boston, has applied for a passage to Annapolis, but been refused. Has spoken to Governor Dudley about him and two or three others at Boston, and had left a letter (No. 3) on the subject. Sends copies of depositions (Nos. 4 & 5) and of other papers.
B. 2. B. T. N. S. vol. 2

1. Extracts from letter to Mears and from letter by Mascarene. B. 3

2. Order of the Council of Massachusetts for Mascarene to examine the fort at Pejopscot, in order to its being repaired. B. 4

3. Letter to Dudley, warning him about what may happen to vessels going to Cape Breton and entering into details of the probable designs of Latour and others, French officers. His opinion of Moody's conduct in relation to trading, &c., and of his correspondence with the French Jesuits. Attached is a letter to the Governors and custom-house officers to prevent assistance in the shape of lumber, provisions, &c., being given to the proposed French settlement at Cape Breton. B. 5

4. Account by Denis and Bernard Godet of a voyage round the coast with a description of the different points, settlements, &c. At Royal Island (Cape Breton), the French were building a large fort; some of the French ships of war had arrived and others were expected. B. 6

5. Declaration and journal of Peter Arceneau on a trading voyage from Beaubassin as far as Cape Gaspé. B. 7

6. Letters to Moody, dated from May to December, 1714. B. 8

7. Letters to Caulfield, in July, November and December, 1714. B. 9

8. (Marked 88). Copy of orders given to Caulfield by Nicholson. B. 10
(Duplicate of letter and titles of enclosures in vol. 32, p. 256.)

August 16, London. Nicholson to Lords of Trade. Report from Aldridge at Annapolis Royal, that the French there and at Minas have built 40 or 50 sloops to carry off the inhabitants, and that they slip off daily. Five deserters had carried off two French women, whose husbands had gone before to

'15. Cape Breton. Henshaw of Boston reports robery by the Indians who, it is feared will make war. B. 11, B. T. N. S. vol. 2

(Duplicate in vol. 32, p. 261.)

aber 2, n. Vetch to Lords of Trade. The deplorable state of the garrison of Annapolis Royal; constant desertions, the men having had no pay for three years, no bedding and the worst clothing at the highest price. Nicholson prevents all trade with the inhabitants, so that they had built vessels to carry them to Cape Breton. The anger of the Indians at being debarred from trade, so that they seize and plunder all fishing vessels they can reach at Cape Sable and act as if at open war, instigated by the French. Shall too late repent of making the French a present of Cape Breton, which they are now improving to so great a degree that, if effective steps are not taken, they shall soon be masters of the whole coast. B. 13, B. T. N. S. vol. 2

(Duplicate in vol. 32, p. 263. The letter was transmitted the same day to Stanhope with report from Spelman and Simpson.)

ember 2, lon. Report by Fort Major Spelman and Andrew Simpson. The sufferings of the garrison of Annapolis from want of clothing. Details are given of the hardships the garrison suffers and the sacrifices made by the officers. B. 14

ber 15, itehall. Lords of Trade to Secretary of State, (Stanhope). Send copy of letter from Dudley, respecting the taking of fishing vessels by Indians at the instigation of the French; the ill consequences of the French settlement on Cape Breton, and his desire that measures may be taken for the protection of the fisheries from Cape Cod Eastward. A. & W. I. vol. 594, fo. 40

Enclosed. Dudley to Lords of Trade, 4th August, which see.

ember 1, apolis al. Caulfield to Lords of Trade. Gives an account of Annapolis Royal, its products, &c. The same of Minas and Shekneceto (Chignecto). The importance of retaining the French inhabitants in the colony, and if English mechanics, &c., were sent over it would be of great advantage. The Indians never come to trade, as they allege there are no king's stores as in the time of the French and as are now in Cape Breton; could they be induced to come it would be a great advantage. The unimproved state of Cape Breton and the slow progress of the fortifications. Two points they propose to fortify at St. Anne's and Peter's; if erected there would be no chance of protecting the vessels going that way. Correspondence with Nicholson and complaints of his and Armstrong's behaviour. B. 16, B. T. N. S. vol. 2

(Duplicate in vol. 32, p. 271).

Enclosed. Letter from the Indians of Penobscot, respecting their trade. B. 17

(The title of this last is in vol. 32.)

Caulfield sent two maps with his letter. One of the Bay of Fundy is in B. T. maps, vol. 9, No. 39, the other of Cape Breton is in the same volume, No. 31.

ember 2, apolis al. Caulfield to Vetch. The unprecedented malice of Nicholson. Had his design taken effect "there had not been at this time an inhabitant of any kind in the Countrey nor indeed a garrison." B. 21, B. T. N. S. vol. 2

(The title is in vol. 32, p. 286).

ember 23, apolis al. Caulfield to Lords of Trade. Many of the inhabitants who were sent off by Nicholson have returned, others are following. Want of provisions and consequent mortality in Cape Breton; but for provisions from Boston, they would have suffered more. Nearly 1,000 vessels will be employed next year in fishing at Cape Breton, which is a great resort for traders. The French officers and men have removed to St. Anne and St. Peter's to carry on the fortifications. Encloses complaint by Winnett against Captain Armstrong. B. 25, B. T. N. S. vol. 2

1715.

Winnett's letter. B. 26
His memorial. B. 27
(Duplicate of Caulfield's letter and titles of the enclosures are in vol. 32, p. 295).

No date. Memorandum of territory claimed by France, including the whole of the fishing grounds, for which, as also for Sable Island, the King of France has granted a patent. A. & W. I. vol. 594 fo. 44

1716.

January 26, Whitehall. Stanhope to Lords of Trade. For report on Newfoundland, Annapolis and the Isle of May.
(Abstract only in B. T. N. S., vol. 32; title only marked B. 20 in vol. 2, the letter is among the Newfoundland papers).

February 7. Lords of Trade to Putteney. For information respecting Nova Scotia. Are there any officers in town lately arrived ?
B. T. N. S. vol. 32, p. 285

February 14. Shirreff to Lords of Trade. The necessities of the garrison of Annapolis require immediate attention. B. 28, B. T. N. S. vol. 2
(The title is in vol. 32, p. 297).

February 21, London. Vetch to Lords of Trade. A detailed statement of the ruinous condition of the fort at Annapolis. The bad condition of the garrison (officers and men), from neglect for three years. State of the French, of the fisheries, &c. B. 29, B. T. N. S. vol. 2
(A duplicate in vol. 32, p. 297).

February 23, Whitehall. Lords of Trade to Merrill. To remind Pulteney of their inquiry respecting Annapolis. B. T. N. S. vol. 32, p. 286

February 25, Whitehall. Merrill to Lords of Trade. Pulteney desires to know what information is wanted. B. 24, B. T. N. S. vol. 2
(Duplicate in vol. 32, p. 291).

February 28. Memorial from Captain Armstrong respecting the present state of Annapolis Royal and the Province of Nova Scotia. B. 22, B. T. N. S. vol. 2
The case of Armstrong, with relation to money procured and engaged for by him towards the support of the garrison of Annapolis Royal. B 23
(Both are undated; they were read by Lords of Trade on the date in margin. There is a duplicate of the letter and the title of the "Case" in vol. 32, p. 287).

February 29, Whitehall. Lords of Trade to Merrill. Send note of the information wanted respecting Annapolis. B. T. N. S. vol. 32, p. 292

March 5, Whitehall. Pulteney to Lords of Trade. Sends muster rolls of the garrison of Annapolis Royal. The confusion in the officers' accounts &c. The muster rolls are appended. B. 30, B. T. N. S. vol. 2
(Duplicate of the letter in vol. 32, p. 306).

March 28, Whitehall. Lords of Trade to Stanhope. Send documents relating to Annapolis; the payment of bills by the agent helps to restore its credit. Refer to previous letters. B. T. N. S. vol. 32, p. 308

April 10, Whitehall. Lords of Trade to Caulfield. Have represented the condition of affairs at Annapolis and do not doubt that the orders given will prevent the hardship from which the garrison has suffered. B. T. N. S. vol. 32, p. 309

May 16, Annapolis Royal. Caulfield to Lords of Trade. On the 10th instant, no vessel had arrived at Cape Breton from France, although vessels were daily expected; great preparations are making for fishing this year, the fish being mostly taken at Canso and on the Eastern coast of Nova Scotia, which cannot be prevented without a ship of war. The island of St. John is completely abandoned by the people from Annapolis who went to settle there. The people of Minas resolve to remain where they are. How he tried to make up for want of courts to settle disputes. Sends copy of letter to the Ordnance respecting bedding and clothing. Transmits and recommends memorial from the surgeon.
B. 31, B. T. N. S. vol. 2

1716. The letter to the Ordnance follows, dated in error 13th December, 1716. The letter in which it was enclosed (of 16th May) was, with enclosure, laid before the Lords on the 20th of August, 1716. It is marked B. 32

Memorial of Skeen, surgeon, referred to in Caulfield's letter. B. 33
(Duplicate of letter and titles of enclosures in vol. 32, p. 310).

ust 21, itehall. Lords of Trade to Methuen. Send copies of Caulfield's letters and papers on the miserable state of Annapolis, formerly represented to Lord Stanhope. B. T. N. S. vol. 32, p. 313

ember 6, apolis al. James Campbell to Lord Stanhope. Applies for appointment to an independent company or for half pay as captain. Had been Captain-Lieutenant at the taking of Annapolis. A. & W. I. vol. 29, p. 1

1717. ch 2, James's. Order in Council referring petition of Armstrong and others, late officers and soldiers, for lands in North America, for report.
B. 34, B. T. N. S. vol. 2

Petition for lands between Nova Scotia and Maine was enclosed with the same number.

Estimate (dated March 8) of the charge of settling a colony of disbanded soldiers in North America, received from Armstrong. B. 35

Other documents on the same subject are marked B. 36 to B. 39 and B. 41.

(Duplicate of the petition and titles of the papers are in vol. 32, pp. 314, &c.)

rch 9 apolis al. J. Williams to Lords of Trade. Reports the death of Caulfield on the 2nd instant; prays that he may succeed as Lieut.-Governor. B. 40
(Duplicate in vol. 32, p. 321).

y 22, tehall. Lords of Trade to Dummer. For copies of his powers and instructions. B. T. New England, vol. 44, p. 39

y 24. Jeremy Dummer to Lords of Trade (undated, read by the Lords on the date in margin). That a tract of land was purchased from the Indians, and that the proprietors have laid out large sums on the same. Prays that if any grants be made, the tract between Penobscot and the Kennebec be saved to the proprietors. B. 42, B. T. N. S. vol. 2
(Title is in vol. 32, p. 322).

y 24, tehall. Lords of Trade to Dummer. Desire him to produce list of purchases from the Indians, made above sixty years before, of lands between Penobscot and Kennebec, with the confirmation or grants from the Council of Plymouth. B. T. N. S. vol. 32, p. 323

y 24. Copy of instructions to Dummer, agent for Massachusetts, for grant of land between St. Croix and Kennebec. The title is in vol. 32, p. 323, and is marked B. 43 in vol. 2, and in the New England papers, marked A. 14, but the text is not given.

e 6, don. Answer by Coram to memorial of Dummer for lands between Penobscot and the Kennebec. B. 47, B. T. N. S. vol. 2
(The title is in vol. 32, p. 325).

e 7, tehall. Lords of Trade to Solicitor General. Send petition from disbanded soldiers for land between Nova Scotia and Maine, with other documents.
B. T. N. S. vol. 32, p. 325

Enclosed. The memorial of Sir Bibye Lake (undated), among the New England papers, vol. 44, p. 43. Petition of Dummer, p. 46. Letter from the Duchess of Hamilton, on behalf of her son. The title is in the New England papers, vol. 44, p. 47, and in the same series, vol. 14, A. marked V. 143, but the letter itself cannot be traced. Letter from Partridge; the title is in vol. 2 of B. T. N. S. marked B. 46, the letter in B. T. New England, vol. 14 A., marked V. 144. Letter from the Admiralty in the same volume, marked V. 145. Letter from Coram in answer to Dummer is in B. T. N. S., vol. 2, marked B 47. The papers were sent to the Solicitor General, see in vol. 32, B. T. N. S.

1717. June 22. Report by the comptroller of Army Accounts, relating to the ga of Annapolis Royal. The Report covers 65 pages, followed by ab with the directions to be sent to the proper officers (4 pages) and mate of the cost of garrisoning forts to be built in Nova Scotia.
B. 59, B. T. N. S.

(The title is in vol. 32, p. 343).

August 2. Petition (in English and French) from Sir Alexander Cairne others for land in Nova Scotia for a settlement. The land is des as on the coast five leagues to the South-West and five leagues t North-East of the river and harbour of Chebucto and ten leagues with the islands within three leagues of the main land.
B. 48, B. T. N. S.

(At page 329 of vol. 32 is a minute referring the petition t Lords of Trade).

There follow the petition:—A letter from Cairnes, dated Tunb Wells, 13th August, that he is unable to attend the Board.

His proposals for the formation of the settlement.

Certain conditions referred to the Lords of Trade.

(There are duplicates in vol. 32, beginning at p. 327).

November 6, Annapolis Royal. Doucett to Lords of Trade. He had warned the French inhab that they would not be allowed to fish, &c., until they acknowl their allegiance to the King; had sent a paper to be signed. pretended fear of the Indians should they sign is, in reality, a fear priests who are doing all they can to prevent an English settlemer spread the false report that the country is to be given back French, who had restored the Pretender to the throne of Great B Asks that steps be taken to put a stop to such reports.
B. 62, B. T. N. S.

Enclosed. Copies of documents for the French inhabitants to

Their answer.

(The duplicate of the letter and titles of the enclosures are in v beginning at page 351).

December 24, Annapolis Royal. State of the garrison from 25th June, 1717, to date in the m with various returns. A. & W. I. vol. 29, pp. 2

No date. Memorial of Philipps to Secretary of State (Addison) for a commi appointing him civil governor of Nova Scotia. The memorial is a the undated documents at the end of A. & W. I. vol. 598. (Addiso Secretary of State from 16th April, 1717, to 16th March, 1718, so the memorial must have been sent at the end of 1717 or early in 1

1718. February 1, Annapolis Royal. Doucett to Lords of Trade. Sends copy of address to His M from the garrison and inhabitants of Annapolis Royal.
B. 65, B. T. N. S.

(Duplicate in vol. 32, with the address p. 355).

February 6, Annapolis Royal. Doucett to Lords of Trade. Asks that a naval force be sent to pr smuggling on the coast. Encloses letter from Captain Southark memorial from the inhabitants on the subject. B. 66, B. T. N. S.

Enclosed. Letter from Southark.

Memorial.

(Duplicate of letter and titles of enclosure in vol. 32, pp. 356, 35

February 6, Annapolis Royal. Doucett to Secretary of State. On the subject of smuggling.
B. 69, B. T. N. S.

(Duplicate in vol. 32, p. 358).

February 10, Annapolis Royal. Doucett to Lords of Trade. Transmits correspondence respectin oath to be taken by the French inhabitants. The Indians de presents yearly as the price of their fidelity. Recommends that

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be given to keep the Indians from going to Cape Breton and Canada. The advantage that would be derived from their trade in furs.
B. 70, B. T. N. S. vol. 2

Enclosed. Letters to Father Felix and M. Melançon. B. 71, B 72
Answers. B. 73, B. 74
(Duplicate of letter and titles of enclosures in B. 32, pp. 359, 361).

bruary 21, hitehall. Earl of Sunderland to Lords of Trade. Refers a representation from Colonel Philipps, governor of Placentia and Nova Scotia, respecting the state of the governments and the necessity for amendments. The representation is in French. B. 52, B. T. N. S. vol. 2

There follow:—Commission to Philipps to be governor of Nova Scotia and Annapolis Royal, dated 17th August, 1717, and the same to John Doucett to be Lieut.-Governor. B. 53, B. 54

Commission to Nicholson for the reduction of Port Royal, 18th March, 1710. B. 55

(This last is a duplicate of the commission calendared at its date, marked A. 48 which may be referred to).

Instructions of same date. B. 56
Additional instructions. B. 57

Pass by Subercasse—marked B. 58 is a duplicate of the pass marked A 50, dated 23rd October, 1710.

(Duplicate of Sunderland's letter and titles of the enclosures are in vol. 32, pp. 339, 340).

arch 12, hitehall. Lords of Trade to Addison. Had reported in favour of granting the lands asked for by Cairnes and others on condition that the fishing should be left free to all His Majesty's subjects. To this should be added in the patent, that all subjects should have the right to build stages and to cure the fish on the coast without any imposition upon that account. The Attorney and Solicitor General are to attend for instructions for the preparation of the bill to pass the grant for the Royal signature.
B. T. N. S. vol. 32, p. 340

arch 27, ndon. Philipps to Popple. Had been unable to wait on their Lordships owing to illness. Is now better and asks that a time be appointed when he may see them. B. 60, B. T. N. S. vol. 2

(The title is in vol. 32, p. 343).

pril 15, nnapolis oyal. Doucett to Vaudreuil. Has been appointed Lieut.-Governor; offers his services. Asks for a few lines to show that those who desire to remain and become British subjects are at liberty to do so, in terms of the treaty of Utrecht. Those who will not do so are to be desired to retire to Canada, or any other of the French dominions. Asks him to inform the French inhabitants and Indians of the firm alliance between the two Crowns, and that the missionaries be desired not to act against King George's interest. A. & W. I. vol. 594, fo. 45

pril 26. Additional from Philipps (undated) respecting Nova Scotia. Laid before the Lords of Trade on the date in margin.
B. 61, B. T. N. S. vol. 2

(Duplicate in vol. 32, p. 343).

lay 30, Whitehall. Reports by Lords of Trade on memorial by Philipps sent by Sunderland for consideration. That it would not be advisable to attempt any alteration in the fishing regulations of Newfoundland, but the present inhabitants should, by all proper methods, be induced to remove to Nova Scotia; other reasons for the removal. Report on the fort of Placentia, formerly made, is now repeated. With respect to Nova Scotia, it is recommended that until there are more British subjects and that the Indians are gained over, the French should not be treated as they deserve for their undutiful conduct. It should be left to the Governor to debar them from privileges enjoyed by other subjects, particularly the fishery, till they shall have taken the oath of allegiance.

1718. Decision on the giving of presents to Indians to be postponed till Philipps has been in the country for some time and makes a further report. The limits between the possessions of the two countries should be settled according to treaty. Only such expense should be laid out on Annapolis Royal as may secure the stores and provisions and protect the garrison and inhabitants from surprise. Recommend that a small fort should be built to secure the harbour of Annapolis; another at the entrance of the British River and another at Chebucto, La Have, or some place between Cape Sable and the Gut of Canso, whence a sergeant and ten men might be sent during the fishing season to a redoubt on Sable Island. Another fort might be erected at the Gut of Canso, to protect from French encroachments on that side. Proper officers should be sent should these proposals be adopted. A small armed ship should be sent to attend the fishery and in all lands granted a reserve of land from high water mark should be kept for stages to dry and cure fish. The encouragement that should be held out to settlers. B. T. N. S. vol. 32, p. 362

June 20, Annapolis Royal. Doucett to Lords of Trade. Respecting oath of allegiance to be taken by the French inhabitants. B. 78, B. T. N. S. vol. 2

Enclosed. Correspondence with Father Félix and the Governors of Cape Breton and Quebec. B. 79 to B. 83

(There is a duplicate of the letter in vol. 32, the titles of the enclosures follow).

June 24, Annapolis Royal. State of the garrison from 25th December 1717 to date. A. & W. I. vol. 29, p. 17

July 8, Whitehall. Secretary of State (Craggs) to Admiralty. Sends report of Lords of Trade on the appointment of a fit person to survey the woods and inland country, in Nova Scotia and on the ordering of a small vessel for government service there; desires to have a report on the same. A. & W. I. vol. 594

July 10, Annapolis Royal. Doucett to Board of Ordnance. Respecting the building of forts, &c., in Nova Scotia and Plancentia. C. 1. B. T. N. S. vol. 3

July 14, Admiralty. Admiralty to Secretary of State (Craggs). In reference to the appointment of a surveyor of woods, &c., in Nova Scotia, referred by Lords of Trade, there is already a surveyor appointed for North America, whose duties may be extended to Nova Scotia without additional expense. With reference to a small vessel for government service in Nova Scotia the grant for ships is already exceeded, but if His Majesty order such a vessel, one shall be selected that can be engaged at least expense, but if she does not sail within a month she will be too late for service on the coast of Nova Scotia. A. &. W. I. vol. 594, fo. 49

July 21, Louisbourg. St. Ovide to Doucett (in French). Will do all he can to preserve peace between the two countries. Had no knowledge of the fishery carried on by the French and the Indians on the coast of Nova Scotia. Contends that the Canso Islands belong to France, according to the treaty of Utrecht, giving his reasons but leaving the decision to the two Crowns. Has warned the Indians not to interrupt the union between the two countries, threatening them with punishment if they violated these orders. Asks for return of deserters, who, although soldiers were domestic thieves; the expense attending their return shall be paid. A. & W. I. vol. 594, fo. 75

(Copy sent the Lords of Trade to the Secretary of State on 30th April, 1719).

July 23, Annapolis Royal. Doucett to Lords of Trade. Encloses letter from St. Ovide, setting out the boundaries claimed by the French, according to their interpretation of the treaty of Utrecht. B. 84, B. T. N. S. vol. 2

1718.
ptember 11. Memorial by Southac to St. Ovide de Brouillan, Governor of Cape Breton, concerning the ancient boundaries of Nova Scotia, in which he traces them from the time of Cabot. At the end is a memorandum of the quantities of fish caught and dried by the French within the boundaries of Nova Scotia for the seasons of 1715 to 1718 inclusive and copy of passport given to Major Mullins and Captain Brown, when they were taking prisoners to France, dated 23 October, 1710, a copy of which will be found at its proper date. A memorandum at folio 7 *verso* states the steps taken with respect to the French fishing at Cape Canso in August, 1716, which they admitted they had no right to do. A. and W. I. vol. 594.

(A copy was sent by the Lords of Trade to the Secretary of State, on 30th April, 1719.)

ptember 22. Vaudreuil to Doucett (in French). Having mislaid Doucett's letter, he (Vaudreuil) has only a confused recollection of its contents. Reminds him that besides the treaty of Utrecht, another treaty was made by the two Crowns with the States of Holland, on the 4th January, 1717. (This was ratified by France, on the 14th January.) This treaty draws the bonds of alliance still more closely. Will do all he can to maintain peace, he (Doucett) to do the same on his side. He would never stir up the Indians and would punish any Frenchman found doing so. The missionaries, too, must confine themselves to their functions. By the treaty the French inhabitants might withdraw with their movables, &c., but he (Doucett) was refusing them the necessary passports. Should this be persisted in, he should be obliged to complain. A. & W. T. vol. 594, fo. 55.

ptember 22, Same to Allain (in French). He can either take the oath of fidelity and remain at Port Royal, or withdraw to the River St. John, which is not under British domination. In the latter case he should have liberty to take his movables, and family, cattle being included among the movables, as well as everything belonging to the mills, without destroying the buildings. Is writing to Doucett on the subject, believing that he would, in conformity with the treaty, interpose no obstacles.

A. & W. I. vol. 594, folio 53

ptember 22, Same to the same (in French). In answer to his letter, sends one which he can show; the other is private. He (Allain) complains of being subjected to foreign domination and proposes, with other inhabitants, to withdraw to the River St. John, asking for the purposes of settlement the land, formerly belonging to the late Dubreuil. The land on the River St. John is not under British domination, and he (Vaudreuil) will support the inhabitants, who can obtain land by applying to Father Loyard, a Jesuit, the missionary there, who shall have authority to make the grants asked for. No time should be lost in going there. When he is ready a passport shall be sent for the journey. A. & W. I. vol. 594, folio, 51.

tober 4, Journal of Southac on his voyage from Nantucket to Canso, &c., and return to Boston in the "Squirrel." A. & W. I. vol. 594, folio 68

(A copy sent by Lords of Trade to Secretary of State on 30th April, 1719).

vember 1, Doucett to Philipps. Sends copy of correspondence with Vaudreuil and Sr Ovide. The statements in letter from the latter are false, as he (St. Ovide) did not go to Canso to order off the French fishermen but to forbid the English to fish and also to settle some French on the Island of Canso, pretending it belongs to them as being in the Gulph of St. Lawrence, which it is not near. To justify this claim, they have now christened the Gut of Canso the Little River of Canada. A ship of war has been sent from Boston, which captures all the French fishing vessels, he (Doucett) having previously written to the Governor of Cape

1718. Breton and produced the passport from Subercasse, a former Governor. Another letter (undated) follows desiring Philipps to send spades, shovels, &c., required should works be ordered to go on. Indians are demanding presents. A. & W. I. vol. 594, fol. 77

(Copies sent by Lords of Trade to Secretary of State, on 30th April, 1719).

November 15, Annapolis Royal. Doucett to Lords of Trade. Complains of the trade carried on from Cape Breton to Minas, to which the French bring wine, brandy and linnings (linens), exchanging them for beef and grain; from Chignecto live cattle are driven to Bay Verte and shipped there to the great detriment of the traders; all the small furs are also carried off, so that the Province is of more benefit to France than to Britain, as the French have all the trade with the Indians, who constantly resort to Cape Breton for presents. The necessity of also giving presents to secure the Indians. A. & W. I. vol. 594, fol. 73

(Copy sent to the Secretary of State on 30th April 1719).

December 13, Annapolis Royal. Doucett to Philipps. Sends copies of letters from Vaudreuil to himself and Allain; of these latter he had secured the originals. Vaudreuil is mistaken about the ownership of St. John River, as it is about the centre of Nova Scotia. The proceedings of the French must be stopped or they will claim everything within cannon shot of the fort. Had been obliged to send an inhabitant to prison for insolence on that score. The inhabitants believe that River St. John will never be taken possession of by the British. The private letter from Vaudreuil will show his underhand dealing. Prays that he Philipps may be here in spring. The Indians incensed for want of presents and being stirred up by the French, he is afraid for the fishery, unless a man of war shall be sent for its protection, or that forts are built on the coast. A. & W. I. vol. 594, fol. 63

(Copy sent to the Secretary of State on 30th April 1719, see for other copies, letter from Philipps of 24th March, 1719, marked B-99, B. T. N. S., vol. 2 and in vol. 32 (same series), p. 394).

December 15, Whitehall. Order in Council referring to the Lords of Trade the petition from Cairnes for a grant of land in Nova Scotia and from Dummer in opposition. Desire a report as to whether there is any liberty, and what, to fish and cure fish on the beach, and if any acknowledgement of the same should be required by the grantees. B. 75, B. T. N. S. vol. 2

December 24. Aldridge to Philipps. Report has been received that St. Ovide has seized New England fishing vessels in reprisal for those captured by the "Squirrel." A. & W. I. vol. 594, fo. 78 *verso*

1719. (Copy sent to Secretary of State on 30th April, 1719).

January 16. Cairnes to Lords of Trade. Desires to be heard in reference to his memorial for land in Nova Scotia. B. 76, B. T. N. S. vol. 2

(The title is in vol. 32, p. 377).

January 22, Boston. Memorial by Southac complaining of the seizure of his fishing vessels by the French, and asking that complaint be transmitted for presentation to the King in Council, so that he may obtain redress. A. & W. I. vol. 594 fo. 69 *verso*

(Copy sent to Secretary of State, on 30th April, 1719).

February 5. Lords of trade to Ackworth. Do the Commissioners of the Navy think it proper there should be a clause in a grant applied for, reserving trees and timber for the use of the Navy? B. T. N. S. vol. 32, p. 377

February 12. Reservation (undated) proposed by Commissioners of the Navy to be made in the grants of land in Nova Scotia. There are two copies which differ in several respects. B. 85. B. T. N. S. vol. 2

(The title only is in vol. 32, p. 382).

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ebruary 13, Admiralty to Lords of Trade. Send extract of letter from captain of
dmiralty. H. M. S. "Squirrel" respecting seizure of French vessels engaged in illicit trade at Canso. B. 86, B. T. N. S. vol. 2

(Only the title here and in vol. 32, p. 382. The letter, with enclosure, is in B. T. New England, vol. 15, marked W. 52 and W. 53).

ebruary 26, Philipps to Lords of Trade. Transmits memorial from inhabitants
ondon. to himself, respecting a grant of land known as Mary Town. C. 2, B. T. N. S. vol. 3

(The memorial is enclosed).

arch 11. Philipps to Lords of Trade. Encloses dispatches from Annapolis
ondon. Royal. Urges the necessity of having the limits settled, French traffic prevented and fisheries protected. The importance of cultivating friendship with the natives. Desirableness of his going to Annapolis shortly. B. 87, B. T. N. S. vol. 2

Enclosed. Doucett to Lords of Trade. Encroachments on the fisheries from Cape Breton.

(A duplicate is in vol. 32, p. 383).

larch 17, Sir Alexander Cairnes to Lords of Trade. Begs for a speedy consider-
ondon. ation of his application for land. B. 88, B. T. N. S. vol. 2

(The title is in vol. 32, p. 388).

larch 19. Memorial respecting the changes in ownership of Nova Scotia, from the time of Cabot, addressed to St. Ovide, Governor of Cape Breton (neither dated nor signed; it was laid before the Lords of Trade on date in margin). It is followed by a copy of the passport granted by Subercasse in 1710, already noted. B. 89, B. T. N. S. vol. 2

(This memorial with other documents is given at greater length and signed by Southack, with details, at B 96, which is the preferable document, although B 89 may be noted).

(The title of the memorial is in vol. 32, p. 388).

larch 24, Philipps to Lords of trade. Encloses letters from Doucett and Aldridge.
ondon. Doucett's letters enclosed copies of those addressed to Vaudreuil and St. Ovide. Aldridge complains of the seizure of fishing vessels, as retaliation for the seizure of French vessels by the "Squirrel." B. 90, B. T. N. S. vol. 2

(The letters to Vaudreuil and St. Ovide are not here. The correspondence with Vaudreuil appears to be marked B 100 to B 103 in vol. 2, but that with St. Ovide does not seem to have been kept. There is a duplicate of the letter from Philipps in vol. 32. p. 389).

April 1, Philipps to Lords of Trade. Sends papers relating to his govern-
London. ment. B. 91, B. T .N. S. vol. 2

Enclosed. Letter from Captain Southack, of the "Squirrel," relating to the seizure of French fishermen. B. 92

Two copies of instructions (not duplicates) from Dudley, governor of Massachusetts, to Southack. B. 93, B. 94

Other documents on the same subject. B. 95

Journal of remarkable transactions during the voyage of the "Squirrel," signed by Southack. B. 97

(A duplicate of this is enclosed in B 108).

Memorial by Southack for indemnification for his losses caused by the French. B. 98

(Duplicate of the letter and the titles of the papers are in vol. 32, p. 391, For B 96, see note to entry of 19th March, B. 89).

April 30, Philipps to Lords of Trade. Is in hopes of having the matter of Nova
London. Scotia settled at next meeting. B. 104, B. T. N. S. vol. 2

(Duplicate is in vol. 32, p. 397).

April 30, Draught of instructions to Philipps to transfer the settlers in New-
Whitehall. foundland to Nova Scotia, to form a strong establishment and to carry on the fishery. When the works at Placentia are finished, he is to re-

1719. move the garrison to Annapolis Royal, leaving 50 men for the security of the fishery. To investigate the complaints of the soldiers of ill treatment, and report to the Secretary at War. The steps he is to take to obtain the oath of fidelity from the French inhabitants. He is to obtain the friendship of the Indians. To propose to the governor of Canada the appointment of commissaries to settle the limits; to live in harmony with all the French officials; to encourage the production of masts and naval stores and to promote the prosperity of the fishery, &c.
A. & W. I. vol. 594, fo. 79

April 30, Whitehall. Lords of Trade to Secretary of State (Craggs). Asks for the King's determination on their report of 30th May last respecting Nova Scotia, (see vol. 32, p. 362.) The necessity that a commissary should be sent to settle the boundaries and a ship to prevent illicit trade. They had reported that there was no necessity to send presents for the Indians, but recent advices had caused them to change their opinion.
B. T. N. S. vol. 32, p. 398

A postscript adds that since the letter was written, they had received papers from Philipps, of which the titles are given. These are in volume 2, marked B 96 to B 103 and are calendared at their proper dates.
(A duplicate is in A. & W. I., vol. 594, fo. 61, with list of papers sent).

May 28, Whitehall. Lords Justices to Lords of Trade. Send documents relating to the case of de Hiriberry, who complains of the seizure of his trading vessels at Isle Canceau. B. 105, B. T. N. S. vol. 2

Enclosed. Letters from the abbé du Bois and from St. Ovide, with map of Cape Breton and a long statement of de Hiriberry's case, quoting authorities to prove the right of France to the Isle Canceau. B. 106.
(Duplicate of the letter from the Lords Justices is in vol. 32, p. 401).

June 1, Whitehall. Lords of Trade to Dummer. To lay before the Board the papers relating to the proceedings of the "Squirrel" on the coast of Nova Scotia.
B. T. N. S. vol. 32, p. 401

June 2, Whitehall. Lords Justices to Lords of Trade. To prepare instructions for Philipps as Governor of Nova Scotia. B. 107, B. T. N. S. vol. 2
(A duplicate is in vol. 32, p. 403).

June 2. Eight papers relating to the proceedings of H. M. S. "Squirrel" on the coast of Nova Scotia. B. 108, B. T. N. S. vol. 2
The papers are:
Depositions made at Boston in October, 1718.
Journal (duplicate of B. 97).
Resolutions of the Council of Massachusetts respecting the "Squirrel."
Letter from Shute to the Governor of Cape Breton (St. Ovide).
Representation by sundry persons in Boston concerning the ownership of Isle Canceau.
Memorial of Southack to St. Ovide (triplicate of B. 89 and B. 96).
Instructions to Captain Thomas Smart, of the "Squirrel."
Answer (a translation) by St. Ovide to Shute.

June 4, Whitehall. Lords of Trade to Committee for hearing appeals. Report in respect to the grant applied for by Cairnes and others, that where the grantees do not themselves build stages for curing their fish, all subjects shall have liberty to cut timber, build stages and cure fish on the coast. The charge when the grantees erect stages shall be the same as in New England that is, one shilling for each quintal cured for the use of the stages, cooking-rooms and for a shoreman for each stage, but there should be a clause that alterations and regulations may be made as His Majesty shall think proper. One-twentieth of all land should be reserved for a nursery for masts and timber for the navy, the lots to be selected by the Surveyor General; all pine of 24 inches and upwards to be reserved: no deals, masts, hemp, &c., or other naval stores to be

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exported to foreign countries. A quit rent of 14 pounds of water rotted hemp for every 100 acres enclosed, planted, &c., to begin four years after the date of the grant, to be doubled the twelfth and trebled the twentieth year, and so to continue. Where the hemp is to be delivered and how the terms are to be enforced. B. T. N. S. vol 32, p. 404

une 4, Whitehall. Lords of Trade to Lords Justices. Shall give dispatch to the commission and instructions of Philipps. Repeat the recommendations to send a man-of-war to attend on the government of Nova Scotia; to give provisions to the Indians and to send an engineer to report on the fortifications. B. T. N. S. vol. 32, p. 409

une 5, Whitehall. Same to the same. Report on the seizure of French property at Canso, complained of by Hirribery. As a pure act of grace the vessels seized may be given up, but previous to that full satisfaction must be made for any reprisals and care must be taken that the French king have no pretense to ownership of the islands, &c., at which the seizure were made, so as not to affect subsequent proceedings as to boundaries. B. T. N. S. vol. 32, p. 411

(Papers relating to the operations of the "Squirrel" are marked B. 108, vol. 2: see under date of 2nd June).

une 9, ondon. Vetch to Lords of Trade. Sends memorial (enclosed) respecting the limits between the French and British on the continent of America. B. 113, B. T. N. S. vol. 2

(The title of this letter is in vol. 32, p. 449).

une 10, ondon. Report to the Lords of Trade by George Vaughan and Peter Capon respecting the ownership of Canceaux and other islands off Cape Breton. B. 114, B. T. N. S. vol. 2

(The title is in vol. 32, p. 449).

une 10, Whitehall. Lords of Trade to West. For his opinion on the draught of a commission to Philipps. B. T. N. S. vol. 32, p. 415

une 18. West to Lords of Trade. The terms of commission to Philipps to be governor of Placentia, approved of. B. 109, B. T. N. S. vol. 2

(The commission included the governorship of Nova Scotia. There is a duplicate of West's report in vol. 32, p. 416).

une 19, Whitehall. Lords of Trade to Lords Justices. Have prepared and send draught of commission and instructions for Philipps, to be Governor of Placentia and Captain General and Governor-in-Chief of Nova Scotia. The Province (Nova Scotia) not being hitherto settled by His Majesty's subjects, the powers are not so extensive as those in commissions to other governors. To guide him, however, a copy of his instructions as governor of Virginia has been furnished to Philipps. The instructions are calculated for laying out and making a new settlement, in which provision is made for peopling the country, for promoting the fishery, for preserving timber fit for the navy, and for encouraging the product of naval stores. The Governor is further directed to live in perfect friendship with the Governor of Canada and all officers of the most Christian King and to avoid all occasions of dispute with them, but considering how formidable the French are there already, he is to keep a watchful eye and report their proceedings. Another clause directs that civil and friendly treatment is to be given to the Indians and intermarriage with them encouraged. The weak condition of Nova Scotia and the influence of the French, the reason for the last direction. Other remarks on reserves of the timber, &c. B. T. N. S. vol. 32, p. 417

Commission. 421

Instructions. 428

June 20, London. Nicholson to Lords of Trade. That he has not the order of the King of France for the cession of Nova Scotia. B. 110, B. T. N. S. vol. 2

1719.

(There follows a letter (in French) from Pontchartrain to Vaudreuil, ordering the cession of Acadia, Newfoundland and Hudson's Bay, (B. 111), dated 6th May, 1713, which see; the titles of Nicholson's and Pontchartrain's letters are in vol. 32, p. 416).

June 25, Whitehall. Order in Council (on report of the 19th June) with draught of commission and instructions for Philipps to be Governor of Nova Scotia and Placentia. B. 115, B. T. N. S. vol. 2

(A duplicate is in vol. 32, p. 450).

July 21, Whitehall. Order in Council upon the petition of Vetch and others for a grant of land in Nova Scotia, referring it to the Lords of Trade. C. 3., B. T. N. S. vol. 3

(In 1722 another application was made by Vetch (C. 79 vol. 4), and in April 1724, a committee of the Privy Council reported (C. 93 vol. 4). A duplicate of the Order in Council is in vol. 32. p. 455).

July 22. B. Tanthial to Lords of Trade. Transmits petitions from Isabella, widow of sergeant Dunn, who was murdered by Lieut. Jephson, and from four companies of the garrison of Annapolis Royal, for allowance for their necessaries; states their condition and wishes. What should be done in Nova Scotia. Other documents of various dates are enclosed. B. 112, B. 113, B. T. N. S. vol. 2

(The titles are in vol. 32, p. 449).

August 26, Whitehall. Lords of Trade to Philipps. Respecting an Act against the clandestine running of goods; also on the premiums on pitch and tar and transmiting rules for producing these and hemp. (Circular, the copy is addressed to Spottswood). B. T. Plantations General vol. 38, p. 267

(The title only is in B. T. N. S. vol. 32, p. 449).

August 27. Colonel Gardner to Lord Stanhope. For provisions for Annapolis and for presents to the Indians of Nova Scotia. A. & W. I. vol. 29, p. 31.

September 3, Customs, London. Commissioners of Customs to Lords of Trade. Send extract from letter from Collector of Customs at Nova Scotia. B. 115, x. 116, B. T. N. S. vol. 2

Enclosed. Extract from Hibbert Newton, Collector of Nova Scotia. "Colonel Philipps our Governour, is dayly expected from Great Britain and it is a great pity so fine a Province as Nova Scotia should Lye so long neglected. As for Furrs, Feathers and Fishery we may challenge any Province in America to produce Like and besides that here is a good Grainary. Masting and Navall Stores might be provided from hence and was here a good Establishment fixt on Returns would be very advantagious to the Crown of Great Britain."

(A duplicate is in vol. 32, p. 452).

September 23, Whitehall. Lords of Trade to the Bishop of London. For copies of the instruments whereby St. Christopher and Nova Scotia were delivered up by the French, should the Bishop have copies. B. T. Leeward Islands, vol. 52, p. 433

(Abstract only is in B. T. N. S. vol. 32).

September 23, Fulham. Bishop of London to Lords of Trade. Respecting the cession of St. Christopher, Nova Scotia, &c., by the French. The orders for the cession (in French) are enclosed. B. 116, B. T. N. S. vol. 2

(A duplicate is in vol. 32 p. 453).

November 3, Boston. Philipps to Lords of Trade. Has been detained at Boston and cannot proceed to Nova Scotia owing to the lateness of the season. Has made known at Boston the King's intention to take Nova Scotia under his immediate care. Asks that the question of grants may be reconsidered. French encroachments on the fisheries and threats to seize the King's vessels. C. 4, B. T. N. S. vol. 3.

(A duplicate is in vol. 32, p. 456).

1719.
December 10, Boston. Mascarene to Ordnance. Report on works at Placentia, before he left to take the new post. Has been obliged to winter at Boston.
B. M. add. 19070, fo. 35.

Followed by an explanation respecting a part of the harbour of Placentia. fo. 36*b*.

Account of materials, &c. fo. 38*b*.

1720.
January 3, Boston. (The letter states that plans were sent).
Philipps to Lords of Trade. His detention at Boston. The obstacles interposed by the French priests to the pacification of the country; a reinforcement the best argument. French encroachments on the fisheries. No news of presents for the Indians; their utility. Respecting land grants. C. 5. B. T. N. S. vol. 3

(A duplicate is in vol. 32, p. 459).

January 15, Annapolis Royal. Doucett to Philipps. Hears he has arived in America and has sent dispatches by a messenger who, he is afraid, is lost. Is anxious on account of him (Philipps) not having arrived, but is not so much afraid, he having Southack on board, the best pilot on the coast. The garrison healthy "tho' the works drop daily." The French continue clandestine trade and another sloop is being built at Minas to carry provisions in Spring to Cape Breton and to bring back French commodities. If allowed to drive their cattle another year, some overland to Chebucto for Cape Breton, the colony will feel a very sensible blow, besides there being no trade or vent for English commodities. He wishes for a sloop of 40 or 50 tons to cruise and be of other service. C. 6. B. T. N. S. vol. 3

February 17, Boston. Mascarene to Ordnance. The severity of the weather; plans sent. Has received instructions, but a part of them is wanting. Will try to make arrangements for works at Annapolis Royal; from want of a vessel there, he cannot take a survey, nor can he transport the materials and artificers; the inhabitants are no better than enemies and will make use of the Indians to molest the settlements. Ruinous state of the defences. Difficulties respecting money. Reported disturbances at Annapolis Royal. B. M. add. 19070, fo. 39*b*

February 26. Philipps to Lords of Trade. Transmits a memorial from Marytown.
C. 2. B. T. N. S. vol. 3

(A duplicate is marked C. 7).

March 5, Paris. Pulteney to Lords of Trade. Relates to the Mississippi Company and to some French being settled in Nova Scotia. B. T. N. S. vol. 32, p. 454
(Title only, the letter cannot be traced).

April 2, Boston. Mascarene to Ordnance. Is waiting a fair wind to sail for Annapolis Royal. B. M. add. 19070, fo. 4

April 20, Annapolis Royal. Philipps to Mascarene. To survey and repair the works at Annapolis Royal. B. M. add. 19071, fo. 2

April 20, Annapolis Royal. Return of the artificers in the five companies of Philipps' regiment. The artificers and their trades are given separately for each company.
B. M. add. 19071, fo. 2

April 23, Annapolis Royal. Report by Mascarene on the state of the defences showing their ruinous condition and that the whole must be rebuilt, which cannot be done till an exact survey be made and reported to the Board of Ordnance. Part may be rendered serviceable by repairs; asks for men, tools, &c. A note by Philipps at the end says: "I approve of this, intending no "further Expence to ye Government than what is absolutely necessary "to putt ye place in a posture of Deffence." B. M. add. 19071, fo. 2

April 28, Annapolis Royal. Notice to contractors to send in to Mascarene their proposals for round timber. B. M. add. 19071, fo. 3

May 7, Annapolis Royal. Offer of Joseph Jennings and Samuel Green to supply round timber for the works. B. M. add. 19071, fo. 3*b*

1720.
May 13, Annapolis Royal. Order by Mascarene to Lieut. John Washington to deliver a tent to Green for use in the woods, whilst cutting timber for the works.
B. M. add. 19071, fo. 3b

May 20, Annapolis Royal. Order for nails, on a requisition from Washington.
B. M. add. 19071, fo. 4

May 26, Annapolis Royal. Philipps to Lords of Trade. Had arrived in the middle of April; sends account of his proceedings. The garrison complete, but the fortifications as bad as possible, of which details are given. Had ordered some repairs contrary to the regulations of the Board of Ordnance. Arrival of a priest of the district with 50 young men; the inhabitants refuse to take the oath of allegiance, stating that they were allowed by Nicholson to remain French subjects and were, besides, afraid of the Indians; there is no power to enforce submission. Proclamation sent up the river with a letter to be read by the priest at a meeting to be called. Has chosen a Council, the names of whose members are given; they agree on a letter to the French inhabitants to send deputies. Proclamation sent to Minas and Chignecto. The priest at Annapolis reported to have gone to Minas to consult his brethren. Arrival of deputies; a minute account given of their proceedings, of their refusal to take the oath, &c. Should they be allowed to remain on this footing, they may be obedient so long as the two Crowns are in alliance, but in case of a rupture they would be enemies and there is no hope of anything else, unless the priests are recalled and others sent in their room. Care should be taken to prevent the Governor of Cape Breton from carrying on secret correspondence with the French and Indians, the latter of whom will do all the mischief possible; proposes to bring 200 Mohawks from New York. The likelihood of the French cutting the dyke and drowning out Minas on leaving; the impolicy of leaving these farms vacant. Has sent word to Newfoundland to invite the people there. Submission signed by deputies from Annapolis River, but not to take up arms against the French. Suggests that they may be desired to take an obligation to fight against the Indians, if required, "to live quietly "and pleasantly in their houses, not to harbour or give any manner of "assistance to any of the King's Enemys, to acknowledge his Majesty's "Right to these Countries,and pay Obedience to his Government, And "to hold their Lands of the King by a new Tenure, instead of holding "them as at present from the Lords of Manners, who are now at Cape "Breton, where at this day they pay their rent." Recommends that the Eastern coast should be settled, which would make the country beneficial to Great Britain, instead of a charge. C. 9, B. T. N. S. vol. 3
(The 17 documents mentioned in the letter are marked C. 10).

May 28, Annapolis Royal. Mascarene to Ordnance. Reports the state of affairs with Lieutenant John Washington; his money transactions, &c. Respecting medical attendance for the gunners. The condition of the Field train; their trading &c., for want of currency. The advantage of employing men from the troops for repairs. The ruinous state of the defences; the bad weather has prevented him from making a full report. B. M. add. 19070, fo. 41

May 30, Annapolis Royal. Order to deliver tiles to a mason to be used for the General's hearth.
B. M. add. 19071, fo. 3b

June 13, Annapolis Royal. Various orders for materials for the works from 1st June to date in margin. B. M. add. 19071, fo. 4, 4b

June 13, Annapolis Royal. Mascarene to Ordnance. Sends estimate of cost of repairs; remarks on Lieutenant Washington's accounts. The French inhabitants have not yet taken the oath. B. M. add. 19070, fo. 43

1720.
e 18.
itehall.

Order in Council referring an application for a grant of land by Sir Alexander Cairnes to the Lords of Trade and Admiralty.
C. 24, B. T. N. S. vol. 3

(A duplicate is in vol. 32, p. 498).

y 21.
itehall.

Lords of Trade to Philipps. Are sorry for his detention in New England, as they had hoped his presence at Annapolis would have put things on a better "foot," particularly with relation to the French at Cape Breton and their fishing at Canceau. Hope there is no truth in the report of their threatening to seize any of the King's ships. Shall lay his reports before the Lords Justices, and shall propose to have a surveyor sent to survey the land for settlement. Shall also report on the proposal to remove troops from Placentia to Annapolis. The Admiralty has ordered a sloop to be sent and the Treasury has ordered presents for the Indians. Lands between Nova Scotia and New England are not in his government; any grants of land in Nova Scotia are to be reported on. The boundaries with the French not yet settled; they understand them to be:—"All the land and islands lying within the "limits following viz.: From the mouth of the River St. Croix (in or near "the Bay of Fundy) up that river Northward, and from thence by land "to the head of the river Moy (that runs into the great river St. Law- "rence) thence down the said rivers of Moy and St. Lawrence, to Cape "Roas and thence southwardly thro' the Gut of Canso and from thence "southwesterly to Cape Sable and from thence up the said River St. "Croix." B. T. N. S. vol. 32, p. 464

ly 29.
itehall.

Lords of Trade to Lords Justices. Transmit summary of letter from Philipps and recommend the adoption of his suggestions.
B. T. N. S. vol. 32, p. 467

gust 6,
napolis
yal.

Philipps to Lords of Trade. Shall observe instructions to raise hemp and make tar, when the circumstances of the Province shall admit.
C. 22, B. T. N. S. vol. 3

Enclosed. Text of the letter undated of which an abstract is in C. 21.

St. Ovide to Philipps, dated Louisbourg, 8th June. Compliments on his appointment. Defence of the French inhabitants from the charges made against them and urges that longer time be given them for settling their affairs, &c.

(Duplicate of letters from Philipps in vol. 32, p. 486).

gust 9,
itehall.

Delafaye to Lords of Trade. Transmits letters and papers from Philipps and other documents. C. 8, B. T. N. S. vol. 3

The letter transmitted is dated 26 May (C. 9,) the documents are marked C. 10. There is a duplicate in vol. 32, p. 471, followed by the titles of the documents.

gust 18,
napolis
yal

Estimates of expenses, orders for materials, &c., from 11th April to date in the margin. B. M. add. 19071, fo. 4*b* to 6*b*

gust 18,
napolis
yal.

Mascarene to Ordnance. Sends account of money transactions.
B. M. add. 19070, fo. 43

gust 19,
napolis
yal.

Same to Washington. To transmit his accounts for examination, with note of the cash in hand, so that he may be informed what additional sum is to be expended. B. M. add. 19071 fo. 6*b*

gust 21,
ndon.

Account by Vetch of the boundaries, trade, population, &c., of Nova Scotia. C. 23, B. T. N. S. vol. 3

(The title is in vol. 32, p. 493).

gust 27,
napolis
yal.

Mascarene to Ordnance. Washington's method of keeping the accounts of the gunners. B. M. add. 19070, fo. 44*b*

gust 30,
Whitehall.

Lords of Trade to Lords Justices. The title: "Representation with "a draught of instructions for a Governor of Carolina and to the state "of Defence of that province and Nova Scotia." B. T. N. S. vol. 32, p. 472.

1720.

(The letter, followed by instructions, is in vol. 25, South Carolina. The instructions are very voluminous and relate only to Carolina. In the letter are two paragraphs, respecting the defence of Nova Scotia, beginning six lines from the bottom of p. 39, followed by the other at p. 40, but no reference is made to them in the instructions. A letter from Delafaye, of the 1st September informed the Board that the papers had been laid before the Lords Justices. This letter is in the papers relating to the Bahamas, marked A. 45 x 46 in vol. 1 of that series).

August 30, Paris. Pulteney to Lords of Trade. Sends note of his conference with the Archbishop of Cambray, about the affairs of Canso.
C. 11, B. T. N. S. vol. 3

(The letter, dated 10th September, new style, was transmitted to Lords of Trade on the 8th of September (C. 12.) There is a duplicate of Pulteney's letter in vol. 32, p. 473, but it is dated there 20th September.)

September 7, Annapolis Royal. Washington to Mascarene. He can find only twenty flints in store, besides 246 of the lesser sort. B. M. add. 19071, fo. 7b

September 8, Whitehall. Delafaye to Lords of Trade. Transmits extracts from letters of Sutton and Pulteney respecting the fisheries at Canso. The want of good charts of the coast, which are to be procured and sent.
C. 12, B. T. N. S. vol. 3

The extracts follow C. 13, C. 14.

(The letter marked C. 11, appears to have been unofficial: the extracts here given are strictly official. There is a duplicate of the letter in vol. 32, p. 473, and the titles of the extracts at p. 474.)

September 13, Whitehall. Delafaye to Lords of Trade. Transmits petition of Hiriberry, with papers, relative to the seizure of his vessels off Canso islands.
C. 16, B. T. N. S. vol. 3

Enclosed. Consideration by Council of Captain Smart's account of the seizure of the vessels, followed by an order to restore them to Smart, to be disposed of as he shall see fit. C. 17

Letter from Pulteney respecting the disputes as to the position of the island of Canso, and how he proposes to deal with the question. C. 18

(There is a duplicate of Delafaye's letter in vol. 32, p. 477; the title of one of the enclosures in the same volume, p. 478.)

September 15, Whitehall. Lords of Trade to Lords Justices. They have been investigating the question of the French fishery at Canso. The islands, it is stated by Nicholson, Vetch and Capon, are not in the River or Gulph of St. Lawrence, but they can get no proper maps, and Captain Smart, who seized the French vessels, is not here. Recommend that a qualified person should be sent to make exact maps and suggest that Capon should be sent to Pulteney in Paris whilst the dispute lasts.
B. T. N. S. vol. 32, p. 474

September 15, Whitehall. Delafaye to Lords of Trade. Transmits extracts from a letter from Sutton, with memorandum from the Archbishop of Cambray respecting the rights to the islands of Canso. The decision of the Regent, communicated by the Archbishop, is that the islands in dispute belong to France, according to the terms of the treaty of Utrecht.
C. 15, B. T. N. S. vol. 3

(A duplicate is in vol. 32, p. 476.)

September 15, Annapolis Royal. Orders for materials, &c., from 25th August to date in the margin.
B. M. add. 19071, fo. 6b, 7.

September 16, Annapolis Royal. Mascarene to Washington. To procure 1,000 flints from the traders.
B. M., add. 19071, fo. 7b.

1720.
tember 23, Lords of Trade to Philipps. His dispatch of 26th May received and
iteball. laid before the Lords Justices, who would no doubt give directions.
B. T. N. S. vol. 32, p. 478

tember 27, Mascarene to Ordnance. Transmits proposals for settling Nova
napolis Scotia. B. M. add. 19070, fo. 45
yal.

tember 27, Philipps to Lords of Trade. Attack by Indians on the fisheries; the
napolis French inhabitants and French are enemies to Government and use the
yal. Indians as tools. Sends papers relating to the attacks, showing how deeply the French at Cape Breton were implicated. Has tried every means to conciliate the Indians, but cannot succeed, so long as the priests give them absolution "Conditionally that they be always "Enemys to the English." Transmits minutes of a conference held with the St. John River Indians. Had the ship of war on the New England station been at Canso, believes that the damage would have been prevented. Murder of the crew of a trading sloop by Indians at Minas, without interference by the inhabitants, but Government is too weak to reach them; has called a meeting for consultation how to remedy this. The inhabitants are determined neither to swear nor to leave, flattering themselves that the King's affairs will always be in a weak state. Sends a particular account of the population and state of the Province. Sends copy of answer he has had from Governor of Canada, respecting a meeting of commissioners to settle the boundaries. Sends also minutes of Council. The French are settling by means of private companies; proposes a similar course as likely to be of great advantage. Answer of the French inhabitants of Minas; its jesuitical tone; they screen themselves behind the Indians; their insubordination. Urges the immediate securing of the country, as the longer it is delayed the more difficult it will be. C. 25, B. T. N. S. vol. 3

List of papers sent with letter. C. 26

Papers relating to attacks on the fishing vessels. C. 27

Instructions to Armstrong and letter to the Governor of Cape Breton. C. 28

Report of conference with the Indians. C. 29

Evidence given by John Alden, master of the sloop "Two Brothers," of his vessel being plundered at Minas. C. 30

Letter of Philipps to the deputies of Minas, respecting the plunder of Alden's vessel. C. 31

Answer of the Indians to the charge of robbing Alden's vessel. C. 32

Reply of Vaudreuil to the proposal to appoint Commissioners to settle the boundaries, for which he has not yet received orders. C. 33

Representation of the Governor and Council on the state of Nova Scotia. C. 34

Opinion of the principal officers of the garrison of Annapolis on the state of Nova Scotia. C. 35

Minutes of Council from 25th April to 5th September, 1720. C. 36

Description of Nova Scotia by Mascarene. C. 37

Memorials of Henshaw, respecting the robbery of his fishing vessels. C. 38

(A duplicate of the letter is in vol. 32, p. 500, the titles of the papers in the same volume, pp. 511-512).

ptember 28, Order to Washington to deliver 56 pounds of old iron to Weston and
nnapolis account for its use. B. M. add. 19071, fo. 7*b*
oyal.

ptember 29, Mascarene to Washington. To furnish an account of stores, tools &c.,
nnapolis transferred to him by Burgess, how they were expended &c. for trans-
oyal. mission to the Board of Ordnance. B. M. add. 19071, fo. 7*b*

tober 5, Same to same. To issue the rest of the materials ordered to be supplied
nnapolis to the carpenters, only part having been issued. B. M. add. 19071, fo. 7*b*
oyal.

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October 5, Paris. Pulteney to Lords of Trade. The dispute about the position of the islands of Canso. Only a general claim should be made that these are not in the River or Gulph of St. Lawrence, &c. B. T. N. S. vol. 32, p. 482

October 6, Whitehall. Lords of Trade to Lords Justices. Had considered Hiriberry's petition, and restate the advice given in letter of 5th June, 1719 (p. 411). As the King had given orders to restore the vessels to captain Smart, cannot see how the gracious intentions of the Lords Justices can be made effectual towards Hiriberry, except by giving him a sum of money. B. T. N. S. vol. 32, p. 479

October 14, London. Archibald Cumings to Lords of Trade. Sends report of the seizure of fishing vessels on the coast of Nova Scotia by Indians and French; three men were killed; French in the action taken prisoners and sent to Annapolis. The Indians in the Eastern settlements have, at the instigation of the French priests, been killing the cattle and robbing the houses, obliging the inhabitants to take shelter in the garrisons. Unless protection be given, the settlements and fisheries cannot be carried on. If the French missionaries be not obliged to leave the inhabitants will not be able to live in peace. C. 19, B. T. N. S. vol. 3

(A duplicate is in vol. 32, p. 483).

October 18, Whitehall. Lords of Trade to Lords Justices. In reference to Cumings' representation, recommend that restitution should be made to him and others, before satisfaction be given to Hiriberry as proposed. B. T. N. S. vol. 32, p. 484

October 21. Memorial of Captain Benjamin Young, respecting the coast of Nova Scotia, its harbours, fisheries, &c. The encroachments of the French. Proposes to build a fort on King George's, formerly called Canso Island; asks that a ship of war may be sent and that he may have a small ship. C. 20, B. T. N. S. vol. 3

(The memorial was not dated; it was received on the date in the margin. The title only is in vol. 32, p. 485).

November 21, Annapolis Royal. Mascarene to Ordnance. Proposals for fortifying Annapolis Royal &c., followed by explanations. B. M. add. 19070, fo. 45b

November 24, Annapolis Royal. Philipps to Lords of Trade. Sends duplicates of previous letters, with additional papers respecting affairs at Canso, to which place he had sent a company to remain for the winter. Sends letters from the Indians, showing their desire for peace, if the priests would let them. Sees every day more reason to show the inhabitants that this is a British Province, till which time they will neither swear allegiance nor leave. The engineer is transmitting the plans and estimates for the forts projected; the cost will not exceed £3,000. C. 39, B. T. N. S. vol. 3

List of papers sent. C. 40

Letters from Indians. C. 41

James Calbey to Philipps. Thanks for kindness; will leave men to assist the garrison. C. 42

Receipt for five French prisoners to be returned to Canso. C. 43

Memorial of people interested in the fishery of Canso, with an account of the losses sustained there at the hands of the French and Indians. C. 44 C. 45

(Duplicate of the letter and titles of the papers are in vol. 32, p. 512.)

December 14, Whitehall. Lords of Trade to Craggs. Send copy of letter from Philipps (in an enclosure C. 21, C. 22, dated 6th August) to be laid before the King. Urge that a force be sent out sufficient to make up for the loss of the French inhabitants. B. T. N. S. vol. 32, p. 494.

December 14, Whitehall. Lords of Trade to Philipps. Had transmitted his letters to the Lords Justices and Secretary Craggs, with their opinion that such a force should be sent as would make up for the defection of the French inhabitants; that a small man of war should attend the colony and that he

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might hire a small sloop for the defence of the coast. Are apprehensive the French inhabitants will never become good subjects, whilst the French Governor and priests retain such an influence. For this reason they are of opinion they should be removed so soon as a sufficient force shall arrive; but in the meantime they should be undeceived respecting their religion, which would doubtless be allowed if they were to remain. Presents for the Indians ordered. Acknowledge receipt of information respecting trade. B. T. N. S. vol. 32, p. 495

mber 17, tehall. Report of Council on a petition from William West and others, for land between Nova Scotia and New England laid before the Lords of Trade on 25th November, 1729. C. 194, B. T. N. S. vol. 5.

1721. ary 13, tehall. Order in Council upon the petition of the South Sea Company, praying for the French part of St. Christophers, Nova Scotia, &c. B. T. N. S. vol. 32, p. 499

(The title only. The order is among the papers relating to the Leeward Islands, in vol. 16, marked Q. 15, to which the petition is annexed. A letter desiring the attendance of the directors of the South Sea Company is in the same series, vol. 52, p. 461, the answer, dated 18th January, in vol. 16, marked Q. 16).

ary 14, apolis d. Mascarene to Ordnance. Calls attention to his proposals for the settlement of the Province, &c., as shown in his essay. Has not gone beyond his instructions. Learns that the sloop for surveying is to be built at Boston. B. M. add. 19070, fo. 48*b*

uary 17, apolis d. Orders for the delivery of materials, &c., for the works from 24th October, 1720, to date in the margin. B. M. add. 19071, fo. 7*b* to 48*b*

uary 24, tehall. Townshend to Lords of Trade. Sends extract of letter from Capt. Purvis, H. M. S. "Dursley," respecting a French settlement on the Island of St. John. The extract follows. C. 46, B. T. N. S. vol. 3

(An abstract is in vol. 33, p. 1).

uary 26, tehall. Townshend to Lords of Trade. Sends copies of letters from Philipps and papers enclosed, for consideration and report. C. 58, B. T. N. S. vol. 4

Enclosed. Philipps to Lords of Trade, 26th and 27th September and 24th November, 1720, marked C. 59 and C. 60; these are duplicates of those marked C. 25 and C. 39, in vol. 3, calendared at their respective dates. The titles of the letter and enclosures are in vol. 33, p, 12).

uary 27, apolis d. Mascarene to Washington. The gunner bringing the parole in the evening is frequently drunk; how the paroles, reports, &c., are to be brought, and the duties of the orderly sergeant. B. M. add. 19071, fo. 8*b*

h 14, tehall. Lords of Trade to Townshend. Had received letter of the 24th February and seen Purvis relative to French settlement. Had also information from Philipps. The danger from the growing strength of the French settlements in event of a rupture. As to the island in question (St. John, now Prince Edward Island), it appears from the 13th article of the treaty of Utrecht, that it belongs to the French. But considering the difficulties raised by the French towards settling the boundaries and their encroachments on His Majesty's lands and islands, submit that it may be advisable to dispute this settlement on the general terms of the 12th article, as the island of St. John may be said to belong to Nova Scotia. B. T. N. S. vol. 33, p. 1

h 19, apolis d. Orders (March 3 and 19) for materials, &c. B. M. add. 19071, fo. 8*b*, 9

h 30, apolis d. Mascarene to Washington. Desires to know his reasons, if any, for refusing to come to his (Mascarene's) house to consult on matters of duty, as reported to him by the orderly gunner. Desires also to have in

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writing an answer to his request to be furnished with accounts of the stores, &c. B. M. add. 19071, fo. 9

March 30, Annapolis Royal. Washington to Mascarene. The gunner's statement is false; he has been kept by illness from waiting on him. B. M. add. 19071, fo. 9

April 3, Annapolis Royal. Philipps to Mascarene. Sends list of materials wanted by Armstrong to put Canso in a state of defence. The list is in the letter. B. M. add. 19071, fo. 9b

Answer returned the same day, with remarks on the articles wanted. The Board of Ordnance has forbidden new works, but the orders respecting Canso will probably be known in a month, whether it is to be put in a posture of defence and consequently to be provided with the necessary materials. B. M. add. 19071, fo. 10

April 4, Annapolis Royal. Mascarene to Washington. Writes in peremptory terms for reasons in writing, why he (Washington) has not given an account of the expenses and the remains of stores so frequently asked for. B. M. add. 19071, fo. 11

April 7, Annapolis Royal. Instructions by Mascarene, countersigned by Philipps, to Dyson, bombardier, ordered to repair to Canso on His Majesty's service. B. M. add, 19071, fo. 11

April 13, Annapolis Royal. Mascarene to Philipps. Complains that he can get no account from Washington, storekeeper, to be forwarded to the Board of Ordnance, according to instructions, and asks him (Philipps) to have an examination made. B. M. add. 19071, fo. 11b

On the 14th an examination was held in accordance with the complaint and Washington was ordered to prepare and send his accounts to the engineer (Mascarene). B. M. add. 19071, fo. 11b

April 19, Annapolis Royal. Washington to Mascarene. Is unable to wait on him on account of illness, but sends his books. B. M. add. 19071, fo. 12b

April 19, Annapolis Royal. Mascarene to Washington. Is sorry for his illness; the books do not answer the meaning of his demands. Instructs him in minute terms how the accounts should be prepared. B. M. add. 19071, fo. 12b

April 22, Annapolis Royal. Same to Ordnance. Had obtained accounts from Washington. Collapse of part of the curtain of the old works. The sloop for the Provincial service building. The French inhabitants impatient to know their fate. Dyson, bombardier, sent to Canso, is recommended for promotion. B. M. add. 19070, fo. 47b

April 26, Annapolis Royal. Order to deliver nails to a carpenter, to be accounted for. B. M. add. 19071, fo. 13

April 27, Annapolis Royal. Mascarene to Washington. The neglect of the cooper last year in respect to packing powder. The great expense for which no vouchers had been produced. How he is to apply for new materials. To come to his (Mascarene's) house to compare the accounts, bringing vouchers, &c. B. M. add. 19071, fo. 13

April 29, London. Benjamin Young to Lords of Trade: That they were pleased with the draught of Nova Scotia, laid before them; prays for their recommendation to be appointed to command one of the small vessels now building. C. 47, B. T. N. S. vol. 3.

May 5, Annapolis Royal. Orders (May 1st and 5th) for the delivery of materials. B. M. add. 19071, fo. 13b

May 6, Annapolis Royal. Order by Philipps to go to Boston to obtain materials for the works and hasten the building and fitting of the surveying vessel. B. M. add. 19071, fo. 13b

May 9, Annapolis Royal. Mascarene to Washington. As he (Mascarene) is going to Boston, cautions him (Washington) not to incur any contingent expense with-

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out the Governor's positive directions, which the instructions require should be in writing. B. M. add. 19071, fo. 14

lay 10, Whitehall. Lords of Trade to Burchett. Send extract from a letter from Benjamin Young, praying to be recommended for the command of a small vessel to intercept smugglers. B. T. N. S. vol. 33, p. 5.

(Young's letter from which the extract is taken is marked C. 47, dated April 29).

une 10, anso. Memorial from Armstrong for compensation for his losses, with details and certificate of his services, transmitted to the Lords of Trade from the Treasury, by letter of 21st May, 1722, signed by Lowndes, Secretary to the Treasury. C. 61, B. T. N. S. vol. 4.

Enclosed.—Documents relating to Armstrong's claims marked as under:

A. Orders and instructions from Philipps to Armstrong in August and November, 1720.

B. Affidavits before Colonel Gardner in July, 1720.

C. Affidavits relating to Armstrongs's charges and losses at Canso, in 1720.

D. Two certificates in favour of Edward Howe.

E. Papers relating to the fishery at Canso.

F. Observations on Colonel Armstrong's account.

G. Account, Fort Philip, Canso, debit and credit for 1721.

H. Two invoices and bills of lading relating to Canso.

These are all included in bundle marked C. 62. The titles are in vol. 33, p. 18).

une 12, nnapolis oyal. Mascarene to Washington. Sends extract from the Board of Ordnance respecting money drawn by Washington, whose accounts are to be examined. In future only the net subsistence of the men is to be drawn for. B. M. add. 19071, fo. 14

une 14, oston. Mascarene to Ordnance. Delay in the building of the sloop for surveying and the cause. B. M. add. 19070, fo. 49

une 19, nnapolis oyal. Philipps to Lords of Trade. Sends copies of letters to the Board of Ordnance from Lieut. Washington, of the Ordnance, containing false and infamous charges against him (Philipps) and the other officers. C. 48, B. T. N. S. vol. 4

Enclosed. Copies of letters of John Washington to the Board of Ordnance and its officers, making serious charges against Governor Philipps, members of his Council, &c. C. 49

Answer by Philipps to the charges (ten large pages closely written.) C. 50

Answer by Doucett, Lieut.-Governor, and the officers of the garrison, to the same charges. C. 51

Address by the Council to Philipps in relation to the charges by Washington, " wherein by multitude of false and vilest Assertions and " Insinuations, he has most impudently endeavoured to bully and " blacken Your Excellency's character and Administration in your gov- " ernment, together with us who have the Honour to be of His Majesty's " Council, not sparing the worthy Officers under yr. Command." C. 52

" Several affidavits of the Lieut.-Gov., Captains and Subaltern " Officers (of His Majesty's Garrison of Annapolis Royal in Nova Scotia) " referred to in the answers and otherways relating to Lieut. Washing- " ton's Malicious, Scandalous & Vile underhand & Unwarrantable Re- " presentations to Great Brittaine & Ellsewhere against His Excellency " Gov. Philipps and the whole garrison." C. 53

The affidavits relate to the identity of the letter book from which the letters (C. 49) were copied, as being that taken from Washington and acknowledged to be his, besides otners by soldiers of the garrison that certain of the charges are false.

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(The titles of letter and documents are in vol. 33, p. 6.)

July 1, Boston. Savage, Secretary of Nova Scotia, to the Lords of Trade. Respecting John Washington's charges which he has not thought worth answering. In reference to that specially against him, as oppressing the French inhabitants by the exaction of fees, had only received £3 sterling for fees in the whole year, whereas the books, paper &c., cost him £10, when he took office. C. 54, B. T. N. S. vol. 4

(The title of Savage's letter is in B. T. N. S. vol. 33, p. 7).

July 18, Boston. Mascarene to Ordnance. Launch of the surveying vessel; he takes passage in her for Annapolis. Contradicts at considerable length Washington's charges against him. B. M. add. 19070, fo. 49

August 14, Annapolis Royal. Same to Washington. Had expected to see him in order to have accounts settled, &c. B. M. add. 19071, fo. 41

August 16, Annapolis Royal. Washington to Mascarene. His illness will probably soon prove fatal. Asks that Clark, who had the keeping of the books, might be permitted to come to put them right. B. M. add. 19071, fo. 15

August 16, Annapolis Royal. Mascarene to Ordnance. Had arrived on the 7th; no further damage to the works by the excessive rains. Had as yet received no answer from Washington respecting the irregularities in his accounts. Relating to provisions; two additional companies to be sent for to Placentia. B. M. add. 19070, fo. 51

August 16, Annapolis Royal. Philipps to Lords of Trade. Dispatches received; the affairs of the Province unchanged, waiting the results of the counsels of Great Britain. The Government at Boston had lately received an insolent letter from the Indians assembled in that quarter with their priests; men ordered to arm, the march of troops may end hostile attempts. Surveying vessel arrived, but nothing to be done with her this season; however, he will go to Canso, but must hire a vessel to bring the troops from Placentia. Complains he has no revenues from taxes, &c., to meet contingencies. Presents for Indians arrived, but he will not distribute them till his return from Canso. C. 55, B. T. N. S. vol. 4

August 28, Canso. Journal of a voyage from Annapolis Royal to Canso from 17th to 28th August. B. M. add. 19071, fo. 18

September 5, Canso. Philipps to Mascarene. From the importance of this place has resolved to winter there to promote its settlement. Owing to the delay of receiving orders for expedition from the Board of Ordnance, has obtained contributions from the traders and planters, which will enable him to purchase material for cover against enemies or weather. The intrenchments liable to be overflowed, and do not give shelter from the weather. He is to select a better situation and prepare plans for housing four companies, to secure the place from sudden attack by the French and Indians; a director should be appointed until plans for a better and more lasting defence shall be approved of by his Majesty. B. M. add. 19071, fo. 13

(The title of this letter is in B. T. N. S. vol. 33, p. 7).

September 8, Whitehall. General report on the Plantations is enclosed in letter from Lords of Trade to Carteret, of 25th May, 1722, which see.

September 13, Canso. Mascarene to Philipps. Sends project for the defence and security of the garrison, with estimate of the materials. Has left many instruments, &c., at Annapolis Royal. Must return there to examine Washington's accounts, &c. Shall do what he can before leaving, but must postpone full plan for defence till next Summer. B. M. add. 19071, fo. 15

September 16, Canso. Philipps to Mascarene. To send such materials from Annapolis Royal as cannot be obtained at Canso. fo. 16

September 16, Canso. Same to same. To return from Annapolis Royal in Spring, as it is probable orders will be received to fortify Canso. fo. 16

1.
ber 16, Mascarene to Richardson. He is to be overseer of the works at Canso; his duties. B. M. add. 19071, fo. 16*b*

ber 21, Same to Philipps. Had proceeded thus far since leaving Canso on the seway 19th. fo. 19*b*

ber 30, Journal of voyage from Canso to Annapolis Royal continuation from dis Port Roseway, which they left on the 22nd, arriving at Annapolis Royal on the 30th September. The journal is signed by L. Armstrong, P. Mascarene and Cyprian Southac. fo. 20

1, Philipps to Lords of Trade. His gratification at his conduct being approved of. His surprise at the flourishing state of Canso, attributable to the force he sent there. The neighbours at Cape Breton have given up talk of right and speak now of the place being neutral. Its great value, not only for fishing but for settlement, from which people will extend along the coast; the progress that will attend its being made a free port. The delay in settlement from the length of time it will require for a survey: has made small grants, &c.
C. 57, B. T. N. S. vol. 4

(The title is in B. T. N. S. vol. 33, p. 7).

3, Estimated quantity of nails in store. B. M. add. 19071, fo. 17
dis

9, Mascarene to Washington. Dyson having obtained leave to come to dis Annapolis Royal, one of the train is to be sent to Canso to look after the stores, &c. Reminds him of his account not yet presented and that he is to produce his last instructions. fo. 16*b*

10, Washington to Mascarene. Is at a loss to know whom to send to dis Canso in room of Dyson. Is getting in accounts and hopes in a few days to attend to that part of the letter. fo. 16*b*

11, Mascarene to Washington. To send nails &c., to Canso and receive dis receipts for the same. fo. 17

11, Same to the same. Will send the nails, but thought they were for dis the repairs of this garrison. Has not seen Dyson's furlough or leave. Asks him (Mascarene) to select the man to take Dyson's place. fo. 17

12, Same to the same. Owing to the lateness of the season and dis the shortness of time to prepare to go to Canso, the gunners beg that none of them will be sent there till Summer. B. M. add. 19071, fo. 17*b*

12, Same to the same. Statement of nails, &c., ready to be shipped to dis Canso. fo. 17*b*

23, Order to supply nails for the repair of the barracks, &c. fo. 17*b*
dis

23, Mascarene to Governor Shute. Powder left at Castle William (Bos- dis ton) to be used for supplying the ships of war. fo. 17*b*

26, Same to Washington. For nails for his house, to be returned. fo. 21
dis

27, Carkesse to Lords of Trade. Sends extracts from papers relating to Plantation trade and to the prevention of illegal traffic, &c., and enclosing extract from letter from the Collector at Annapolis.
B. T. N. S. vol. 33, p. 14

(Only abstracts in this volume. The letter is among the papers relating to Plantations general, vol. 10, marked L. 28, the enclosure is in the same volume marked L. 30).

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November 9, Annapolis Royal. Orders for materials from 27th October, to date in margin. B. M. add. 19071, fo. 21

November 15, Annapolis Royal. Mascarene to Washington. Repeats the demand for his accounts, &c. fo. 21b

November 16, Annapolis Royal. Washington to Mascarene. Is surprised at his desiring to see his instructions, with which he (Mascarene) has nothing to do. The accounts are ready to the 1st October. fo. 21b

November 18, Annapolis Royal. Mascarene to Doucett. Applies for bedding required by the company he brought from Placentia last year. fo. 22

November 20, Annapolis Royal. Report by Doucett on the controversy between Mascarene and Washington, entitled: "The substance and Matter of Fact, taken by me atta "hearing, between Major Paul Mascarene, Engineer, and Lieut. John "Washington, on a letter dated November 16th, 1721 and sent by "Lt. Washington to the Engineer." fo. 22b

November 24, Annapolis Royal. Doucett to Lords of Trade. Requests the protection of their Lordships, and that he be recommended to His Majesty's favour. C. 81, B. T. N. S. vol. 4

Enclosed. Doucett's petition to the King that he may be appointed Lieut.-Governor of Canso. C. 82

Certificates by officers and inhabitants of Annapolis Royal, in favour of Doucett. C. 83

(The titles of letter and enclosures are in B. T. N. S. vol. 33. p. 34.

December 5, Annapolis Royal. Mascarene to Washington. To certify in writing how many days are to be allowed to the carpenter and mason for attending him (Washington) on the survey of the barracks, specifying also the number of days and work done by the artificers and labourers in May, June, July, August and September. B. M. add. 19071, fo. 23

December 8, Annapolis Royal. Doucett to Mascarene. Bedding ordered. Washington and Winnett, with all the bombardiers and gunners are to attend next day at the examination into Washington's memorial. He (Mascarene) is also to attend. Points out some small repairs to be made. fo. 23b

December 8, Annapolis Royal. Mascarene to Washington. To put a lock on the wicket, as requested by Doucett. Expects an answer to letter of 5th November. fo. 23b

December 8, Annapolis Royal. Washington to Mascarene. Shall attend to the lock for the wicket, but there is none in store. The accounts would have been sent to-morrow, had he received those of Parr. fo. 24

December 12, Annapolis Royal. Same to same. The time charged by the mason and carpenter may be allowed. To-morrow the return of the work done, &c., from May to September shall be sent. fo. 24

December 14, Annapolis Royal. Mascarene to Washington. The return of the work done is not sufficient; points out what is wanting and how it should be supplied. fo. 24

December 20, Annapolis Royal. Same to Doucett. The money drawn by Winnett having been obtained from him by Washington, asks that the latter be directed to furnish proper accounts which he has not yet done. fo. 24b

December 22, Annapolis Royal. Doucett to Mascarene. Cannot have the examination into Washington's accounts before next Thursday. Wishes the lieutenant were further off, as he caused more trouble since his arrival than ever took place before by his unaccountable proceedings. fo. 24b

1722.
February 16, Annapolis Royal. Orders for materials on the 2nd, 14th and 16th. fo. 25

February 20. Undated, received on the date in margin. "A list of all the Masters "of Vessels, names yt. came to make fish at Canso during the time that

722. "the Honourable Lieut.-Colonel Armstrong commanded said place "in the year 1721, with the Names, Burthen and Quality of their "Vessels, the number of men, from whence came and to where belong- "ing, their arms, the Quantity of ffish exported, and to what Merkett, as "also those who through his Means Intended to Settle their ffamillys "there for the good and Encouragement of the said new settled place." At the end of the list are remarks by Armstrong on the value of the settlement, &c.

B. T. N. S. vol. 4, not marked, should apparently be C. 56

nary 22, apolis l. (The title is in B. T. N. S. vol. 33, p. 7).

Doucett to Mascarene. Repairs wanted to the bakehouse; part of his own cellar has fallen in. B. M. add. 19071, fo. 25

h 13. Mascarene to Doucett. Remarks on Washington's accounts with a balance sheet to show how much he is in debt to the Ordnance. fo. 25

l 17, o. Philipps to Mascarene. His disappointment at not receiving a gunner in room of Dyson. Orders have been given to complete the survey next Summer, so shall hope to see him (Mascarene) by return of the schooner. fo. 26

l 17. Petition of Vetch and others to be heard before the Lords of Trade in relation to their application for land. C. 79, B. T. N. S. vol. 4

(See also C. 3, in vol. 3 and C. 93, vol. 4. The title of the petition is in vol. 33, p. 32).

l 23, apolis al. Doucett to Mascarene. The impossibility of finishing the survey of the Eastern coast this summer, as the schooner must be employed to bring provisions, &c. A demand made for powder; to report if it can be spared. B. M. add. 19071, fo. 26

The demand follows. fo. 26*b*

il 24, apolis al. Mascarene to Washington. He is to order a gunner to go to Canso, and to take charge of powder to be sent there. fo. 26*b*

il 25, apolis al. Same to Doucett. Owing to the information respecting the survey brought by Cosby shall remain here until further orders. Gives a summary of the stores remaining; the powder asked for may be spared. fo. 27

y 9, apolis al. Doucett to Mascarene. Cash credited to Washington for powder he has sold; would have confined him, but he has given security to the Board of Ordnance, and it may be a perquisite. Gives orders to repair the breaches so as to guard against attacks. fo. 27

y 19, apolis al. Doucett to Washington. Forbids him to sell any powder drawn from shells, or to regard it as a perquisite, until orders are received from the Board of Ordnance. fo. 27*b*

y 21, apolis al. Mascarene to Doucett. Had transcribed and sent the papers to the Ordnance as directed Conditions on which repairs can be made to the breaches. The work could not be done when first ordered, as the winter had then set in hard. fo. 27*b*

y 21, apolis al. Same to Washington. Repairs having been ordered, desires to know the amount of contingencies in his hands. fo. 28

25, tehall. Lords of Trade to Carteret. Philipps has been again urging the necessity of building forts for the security of Nova Scotia. Refer to the general report of the 8th September last for their opinion on this subject. The fishery of Canso is the best in His Majesty's dominions. The French lay claim to it and, at their instigation, it has been interrupted by the Indians. There is, therefore, an absolute necessity to erect a small fort at Canso, without loss of time. B. T. N. S. vol. 33, p. 12

(The general report above mentioned is in vol. 33, B. T. Plantations general. It deals with all the "Plantations," thus enumerated: Nova

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Scotia, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia and Carolina. With respect to Newfoundland and Hudson's Bay their Lordships say: "And although Newfoundland and Hudson's Bay are both of them parts "of your Majesty's Territories in North America, yet neither of them "being a colony under Civil Government, or lying contiguous to Your "Majesty's other Plantations on the Continent, we have made no men- "tion of them in this Represention." After the general introduction (p. 296), the description of Nova Scotia begins at p. 297 ending at p. 306; New Hampshire 307 to 312; Massachusetts Bay 313 to 325; Rhode Island 326 to 329; Connecticut 329 (two short paragraphs): New York 330 to 335; New Jersey 336 to 338; Pennsylvania 339 to 344; Maryland 345 to 350; Virginia 351 to 356; Carolina 357; divided into North 358 to 360, and South 361 to 363. Besides the particular details of the individual colonies, there are general considerations affecting all. These are: "The consequence of plantation trade 374 to 388; "Considerations for securing, improving and enlarging Your Majesty's "dominions in America 403 to 411;" in relation to the Indians 412 to 418, in relation to the government of the Plantations 419 to 431. Inserted between the report on "Plantation Trade" and "Considerations for securing," &c., is an account of the French position on the Mississippi 389 to 402. After carefully considering the bearing of the whole report, the nature of the general considerations, which there is no doubt should be available, indicate that the whole should be copied).

June 5, Annapolis Royal. Doucett to Mascarene. In consequence of the last letter from the Board of Ordnance, cancels the order to repair the breaches.
B. M. add. 19071, fo. 285

June 6, Annapolis Royal. Same to the same. To justify his order for repairs, desires that a survey be made of the condition of the store-houses, barracks and breaches.
fo. 285

June 6, Annapolis Royal. Order for materials. fo. 285

June 6. Whitehall. Lords of Trade to Philipps. Has laid before the King, his report of the attacks on the fishery by the Indians, incited by the French. The Board of Ordnance to send men and materials for building forts, so soon as they receive orders. In the meantime have written to Carteret on the immediate necessity for a fort at Canso. Respecting Lieut. Washington's charges. Are glad that he (Philipps) has at last got a vessel for surveying, &c. Should have applied to the Treasury in respect to the want of taxes to defray the contingencies. Concerning survey preparatory to granting lands. Are glad to hear that Canso is flourishing, but desire him to explain what he means by a "free port." Hope that in settling the little islands about Canso, he has had regard to the fishery being left free to His Majesty's subjects. B. T. N. S. vol. 33, p. 14

June 8, Annapolis Royal. Order for materials. fo. 285

June 15, Annapolis Royal. Doucett to Mascarene. In consequence of the hostilities of the Indians and their reported design to attack the post, desires him to prepare everything for defence. The members of Council have been ordered to meet twice daily. fo. 285

June 29, Annapolis Royal. Same to Lords of Trade. The depredations of the Indians, with the connivance of the French inhabitants. If the Indians can hinder trading in the bay (Annapolis) the French will trade by way of Bay Verte, &c. Sends documents relating to Indian depredations.
C. 63, B. T. N. S. vol. 4

Enclosed. Account of Hibbert Newton, Collector of Customs, of his being seized in a French settlement by the Indians. C. 64

1722.

Declarations of the masters of the "Prosperity" and "Dove" of their being plundered by Indians. C. 65

Draught of statement Doucett proposes to make to the Indians in case they send an embassy. C. 66

(The titles of the letters and enclosures are in vol. 33, p. 21.)

June 39, Whitehall. Lords of Trade to Lord Advocate of Scotland. Send copy of grant of Nova Scotia to Sir William Alexander, and ask that it be compared, &c. B. T. N. S. vol. 33, p. 18

July 2, Annapolis Royal. Doucett to Lords of Trade. Transmits complaint from Winnett of being plundered, and a letter from the missionary priest, who does as he likes without reference to the Governor or Lieut.-Governor. The evasions of the priests, who deny they have anything to do with the Indian attacks, although a good deal of the plunder is in Gaulin's chapel when he was there to say mass to the Indians. Disputes among the Indians as to the division of spoil stopped by his (Doucett's) having got 22 Indians into his hands as hostages. The charge that he is the aggressor is false. But for the report brought by the Collector of Customs, he (Doucett) would have fallen, when fishing, into the hands of the Indians. C. 67, B. T. N. S. vol. 4

Enclosed. Copy of the correspondence mentioned. C. 68 to C. 71

(The titles of letter and enclosures are in B. T. N. S. vol. 33, p. 21).

July 12, Canso. Philipps to Mascarene. Has received information of the intended attack by the Indians and the decayed state of the defences, which cannot be repaired by reason of the orders of the Board of Ordnance. Under the circumstances of the case, he takes the responsibility of ordering repairs and sends an official letter to that effect. B. M. add. 19071, fo. 29

The order follows. fo. 29*b*

August 10, Canso. Complaint made to Armstrong by traders at Canso, of the great decay of that place and the danger of the fishery being lost, from want of a support from Great Britain. C. 74, B. T. N. S. vol. 4

Another representation on the same subject. C. 75

(Abstracts of these complaints are in vol. 33, pp. 28-29).

August 10, Whitehall. Lords of Trade to Treasury. Have examined Armstrong's claims, &c. Recommend that he should be paid for his losses and receive a reward for his services. B. T. N. S. vol. 33, p. 19

September 1, Annapolis Royal. Orders for materials from 20th June to date in margin. B. M. add. 19071, fo. 29

September 1, Annapolis Royal. Mascarene to Washington. Considering the circumstances, does not think he would be justified in disobeying the Governor's order. fo. 30

September 4, Edinburgh. Lord Advocate of Scotland to Lords of Trade. The copy sent of grant to Sir William Alexander does not agree with the original, but the keeper declines to make an exact copy without an order from the Lord Clerk of the Register, presumably on account of the fees. C. 76, B. T. N. S. vol. 4

An imperfect copy of the grant is with the letter.

Another copy is marked C. 78 in the same volume, with the following note in red ink: "This was copy'd from the original received from the "Lord Provost of Edinburgh, which original was sent to the Commis-"saries at Paris, with the Board's letter, dated 11th October, 1750." There are copies of the grant in various volumes among the Archives; a note, therefore, in red ink, where they occur among the papers here seems all that is necessary to indicate their being sent.

September 19, Canso. Philipps to Lords of Trade. Designs to come to London to represent the state of Nova Scotia. Had feasted the Indians and given them presents a month before hostilities began. Gives an account of their

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attack on the fishing vessels and the recapture of vessels taken by them. The Indians allege they were instigated by the French. C. 77, B. T. N. S. vol. 4

(The title is in vol. 33, p. 32).

September 21, Annapolis Royal. Washington to Mascarene. Desires to know his opinion of the Governor's letter and what should be done in view of the orders of the Board of Ordnance. B. M. add. 19071, fo. 30

September 25, Treasury. Walpole to Lords of Trade. That their report being in favour of Armstrong, they are to adjust the losses and report what allowance should be recommended for him. The report on which this letter is founded is attached to the letter. C. 72, B. T. N. S. vol. 4

(There is an abstract in vol. 33, p. 25).

September 26, Whitehall. Lords of Trade to Carteret. The French inhabitants and missionaries busy instigating the Indians to insult and plunder His Majesty's subjects, so that his possession of the Province, solemnly transferred by the treaty of Utrecht, is very precarious. There is no great reason to expect fair treatment from the French in these parts, so that a greater force should be sent. B. T. N. S. vol. 33, p. 23

September 27, London. Armstrong to Lords of Trade. Unless his claims are settled soon, he shall be compelled to dispose of his commission. C. 72, B. T. N. S. vol. 4

(The title is in vol. 33, p. 25).

October 5, Whitehall. Lords of Trade to Treasury. Had received Walpole's letter. Had examined Armstrong's account, which showed a balance in his favour of £1,138 17 10; this they recommended should be paid. The sum of £800 paid at once, would be of more benefit to him than the whole sum at a distant period. B. T. N. S. vol. 33, p. 26

November 7, Whitehall. Same to Carteret. The complaints respecting the interference with the fishery at Canso. Refer to previous letter recommending the erection of forts. 29

November 27, Whitehall. Same to Lord Advocate. To send true copy of Sir William Alexander's grant and the fees shall be sent. 31

December 16, Annapolis Royal. Doucett to Mascarene. To repair the breaches made by the rain in the flag bastion and to take down the flag pole. B. M. add. 19071, fo. 30*b*

1723.

February 4, Annapolis Royal. Orders for materials, &c., from 17th October, to date in margin. 30

March 7, Annapolis Royal. The same from 21st January, to date in the margin. 30*b*

March 22, Whitehall Lords of Trade to Admiralty. Desire that a vessel be ordered to cruise between Canso and Cape Sable to protect the fishery. B. T. N. S. vol. 33, p. 32

March 23, Admiralty. Admiralty to Lords of Trade. That a ship shall be ordered to cruise as desired, so far as that is suitable for the security of the fishery of Newfoundland. C. 80, B. T. N. S. vol. 4

(An abstract is in vol. 33, p. 33).

April 18, Annapolis Royal. Doucett to Mascarene. His dilemma between the defenceless state of the post and the positive orders of the Board of Ordnance. However, there being an absolute necessity to provide defence against the attacks of the Indians, orders certain repairs to be made. B. M. add. 19071, fo. 31

August 20. Scheme for settling a colony at La Have in Nova Scotia, in accordance with petition from Major Davidson and others. C. 84, B. T. N. S. vol. 4

Enclosed. Affidavits that the petitioners were engaged in the reduction of the Province. C. 85, C. 86

1723.

(The titles of letters and enclosures are in vol. 33, p. 34).

September 4, Whitehall. Lords of Trade to Lords Justices. Report on the scheme for settling Nova Scotia, giving an account of the services of the petitioners, at the reduction of Port Royal, now Annapolis Royal, in 1710. The grant originally asked for was reduced to a request for "a tract extending from "the harbour of Le Have, six leagues northward up into the country, two "leagues Eastward of the said harbour of Lehave along the coast towards "a place called Murlegash and eight Leagues Westward of the said River, "with the Islands along the Continent, three Leagues distant from the "Coast." Believe it would be much for His Majesty's service to grant the tract upon proper conditions, which are indicated in the last paragraph, but would be given in detail if required. B. T. N. S. vol. 33, p. 35

October 23, Whitehall. Order in Council referring the petition of Vetch and others for land to a committee of the Privy Council. C. 88, B. T. N. S. vol. 4

October 25, Annapolis Royal. Doucett to Mascarene. In consequence of the decay of the house used as an outguard, he is to build a blockhouse to be used for the same purpose. B. M. add. 19071, fo. 32*b*

October 31, Annapolis Royal. Report on the state of the Ordnance stores in the garrison, signed by Mascarene and Joseph Milledge, and attested by Doucett. fo. 31*b*

November 14, Annapolis Royal. Doucett to Mascarene. Comments on Washington's conduct; will leave him alone for this Winter, until he has orders from the Board of Ordnance to remove him by force; the clamour this may cause among his creditors, &c. fo. 32*b*

November 21, Annapolis Royal. Mascarene to Milledge. Leaves instructions for his conduct during his (Mascarene's) absence in New England. The instructions are embodied in the letter. fo. 33

November 28, London. Philipps to Lords of Trade. Apparently the covering letter to a memorial which follows C. 86. The letter is marked C. 87, the Order in Council marked C. 88 (October 23) coming between the memorial and letter marked C. 87, B. T. N. S. vol. 4.

December 18, Whitehall. Lords of Trade to Walpole. Transmit memorial from Philipps (C. 87), being a true account of Nova Scotia, to be laid before the King. B. T. N. S. vol. 33, p. 39

1724.

(Duplicate with the memorial is in A. & W. I. vol. 594, fos. 83, 85).

February 26. Carteret to Lords of Trade. Refers for consideration the statement in the memorial of Philipps in relation to Nova Scotia, respecting the survey and its progress, the charges and when it may be finished; to report on the best means of preserving the wood for his Majesty's service and the terms that may be granted for settlement, &c. C. 89, B. T. N. S. vol. 4

February —. (The title is in vol. 33, p. 40.)

March 12. (The situation and state of the Province of Nova Scotia, given in by Philipps. A. & W. I. vol. 29, p. 32.

(Answer by Philipps to the reference by Carteret. C. 90, B. T. N. S. vol. 4

April 17, Whitehall. (Title is in vol. 33, p. 41).

Order in Council referring petition from William West and others, for a grant of land between Nova Scotia and Maine, for consideration and report. The documents relating to the petition accompany the reference. C. 91, B. T. N. S. vol. 4

April 17, Whitehall. (An abstract is in vol. 33, p. 41).

Order in Council containing report of the Lords of Trade on memorial of Vetch and others, which is returned for consideration of the conditions, restrictions and limitations that should be made on a grant of land to the petitioners. C. 93, B. T. N. S. vol. 4

(The title is in vol. 33, p. 41).

Subsequent petitions. C. 94, C. 95

1724.

(See also C. 3, in vol. 3 and C. 79 in vol. 4).

May 7. Petition signed by William Birkhead, containing proposals for settling lands between Nova Scotia and New England. C. 92, B. T. N. S. vol. 4

(The title is in vol. 33, p. 41).

May 15, London. Arthur Savage to Charles de la Faye. Requests that his commission as Secretary for Annapolis may be signed by the King, he having as yet received no pay for the duty, that having been drawn by Governor Philipps. A. & W. I. vol. 29, p. 36.

(In A. & W. I. vol. 594, fo. 91, the memorial to that effect is dated 12th May).

May 20, Treasury. Scrope to Lords of Trade. Transmits letter and petition from Philipps, relative to the building of a vessel for the survey of Nova Scotia. The letter from Philipps and memorial are under the same cover. C. 96, B. T. N. S. vol. 4

(The title is in vol. 33, p. 42).

July 19, Annapolis Royal. Doucett to Mascarene. Orders him to build a blockhouse and other defences, to make up for the weakness of the post as shown in the last attack by the Indians. B. M. add. 19071, fo. 335

July 21, Whitehall. Lords of Trade to Privy Council. Give in detail the conditions to be inserted in the grant of land to Vetch and others. B. T. N. S. vol. 33, p. 43

August 12. Philipps to Lords of Trade. Reasons for building and maintaining a vessel for the survey of Nova Scotia. C. 97, B. T. N. S. vol. 4

Journal showing how the vessel was employed. C. 98

On the 30th September applications from Vetch and from Sir Alexander and James Douglas appear to have been considered with the other papers. These two applications were in opposition to an application from the South Sea Company for lands in Nova Scotia. They were laid before the Lords on the 12th and 19th January, 1721, the year following the collapse of the South Sea Company. On each is a note in red ink: "September 3, 1724," nine days before the papers were considered. C. 99, C. 100

(The titles of C. 97 and C. 98 are in vol. 33, p. 48, but not those of C. 99 and C. 100; see also 13th January, 1721).

September 3. W. Birkhead and others to Lords of Trade (undated). Offer to pay all fees, &c., on grants of land for which they have applied. C. 101, B. T. N. S. vol. 4

(Apparently the same letter as was considered on the 17th; the title is in vol. 33, p. 49).

September 3, Whitehall. Lords of Trade to Treasury. Report on application by Philipps respecting sloop for the service of the colony. Refer to letter of 14th December, 1720, for recommendation as to the service in which the vessel should be employed. It is not unreasonable that Philipps should be reimbursed for the services of the vessel. Besides the troops, there are few or no subjects in the province; there are about 3,000 French who refuse to take the oath of allegiance; the French settlements near Nova Scotia are strong and the Indians molest the fishermen on the coast, so that this or some other vessel should be employed. B. T. N. S. vol. 33, p. 49

September 23. List (undated) of vessels to the port of Canso in 1723. In that year 33,000 quintals of fish were sent to market; on the 8th of July, 1724, about 8,000 quintals were on the flakes. In 1723 there were 83 vessels of various rigs and of 3,203 tons burthen, with 74 guns, 332 small arms and 534 men. C. 115, B. T. N. S. vol. 4

September 28, Annapolis Royal. Doucett to Mascarene. As another attack from the Indians is imminent, presses him to finish the blockhouses. B. M. add. 19071, fo. 335

September 30. See note to letter August 12, Philipps to Lords of Trade.

November 9, Canso. Explanation of the draught of the harbour of Canso, sent to the Lords of Trade on the date in the margin. fo. 34

1725.
January 22. Vetch to Secretary of State (Newcastle). His services in the reduction of Port Royal, now Annapolis Royal, of which he was Governor till after the treaty of Utrecht. Applies for the government of New England, which is of small value to any one not having an interest in the country as he has, there being no salary from the Crown attached to it. His thorough knowledge of the Colony makes him the most suitable for the appointment. A. & W. I. vol. 64. p. 8

February 3, St. James's. Commission to Lawrence Armstrong to be Lieut.-Governor of Nova Scotia. C. 102, B. T. N. S. vol. 4

April 26, Annapolis Royal. Doucett to Mascarene. To prepare for defence and to protect the outer well, in case of that inside running dry. If he has not money, he (Doucett) will advance enough, trusting to be reimbursed by the Board of Ordnance. B. M. add. 19071, fo. 34b

July 14. Order to survey provision with the report. 63

List of all the ships and vessels that have taken or cured fish and exported the same to foreign markets for the year 1725 (*sic*). The list gives particulars of name, burden, cargo, and other details. 67

September 5, Canso. Armstrong to Newcastle. Represents the natural advantages of the country and requests that fortifications be raised to protect the inhabitants against the cruelties of the Indians, clandestinely assisted by the French, who supplied arms and ammunition and actually piloted the Indians to the settlements. Had represented the case to Governor St. Ovide, whose only answer was pretended ignorance of notorious matters of fact and ambiguous promises of friendship, excusing himself for supplying arms &c., to the Indians on the ground that the orders of the King of France are to supply them with presents. Has sent copy of his (Armstrong's) letter to the Lieut.-Governor of New England on the subject of peace with the Indians and appointed Major Paul Mascarene and Hibbert Newton commissioners on behalf of Nova Scotia, so that there should not be a separate peace, by which that colony might be left to their fury. Sends also minutes of Council since his arrival on the 29th of May last. Has not yet been able to go to Annapolis Royal, having been obliged to remain to take measures of defence for the place and the fisheries; for the protection of the latter, has manned two vessels to cruise along the coast to Baie Verte. This and the building of block-houses, &c., had been done at little expense. Asks if he shall refit the schooner "William Augustus," which is greatly out of repair. This being the chief place for the population, proposes to bring the members of the Council from Annapolis Royal. Asks for instructions in relation to the French inhabitants, who have not yet taken the oath of allegiance, and respecting the constitution of a House of Assembly, &c.
A. & W. I. vol. 29, p. 37

"List of the Members of the Council of Nova Scotia.
"Hon. Law. Armstrong, Lieut.-Governor of the Province.
"Hon. John Doucett, Lieut.-Governor of Annapolis Royal.
"Major Paul Mascarene. Willian Skeene.
"John Adams. William Shirreff.
"Hibbert Newton.
"Those that are absent are viz.:
"Cyprian Southask, "Gillam Philipps, "Arthur Savage. } Esqr's, of New England, absent for about these four years.
"The Reverend Mr. John Harrison, now in England, and absent for "about the same time.
"Petre Bondre, deceased.
"Those whom I propose to supply their places are, viz.:
"John Colley, Esq., Justice.
"Edward How.

1725.

"Captain Thomas Wroe.

"Being all Inhabitants of the best Estates and Interest in this place "and the Most Capable of officiating as such, being well affected to his "Majesty King George, and proper persons for aiding and Encouraging "the Settlement of this place.

"L. ARMSTRONG."

Apparently enclosed. State of those who have had fishing rooms (with their situation) laid for them by order of the Government at Canso. The names of every firm and the exact situation of the fishing rooms are given. 41

Minutes of Council at Canso, 11th, 12th and 31st August, 1724, including the instructions to Mascarene. 46

"Report of the proceedings of Hibbert Newton and Captain John "Bradstreet, with Mr. St. Ovide, of Cape Breton, conformable to Instruc- "tions given by Hon. Lawrence Armstrong, Lieut.-Gov., and Com- "mander in Chief of ye province of Nova Scotia, at Canso the 12th of "August, 1725." The report begins on the 15th August when the commissioners left Canso on board the schooner "Speedwell," arriving next day at Louisbourg. The discussions with St. Ovide are given in full; the report is dated the 30th August. The correspondence follows. 55

Observations by Armstrong. 62

September 25, Canso. Armstrong to Lords of Trade. Sends statements for submission to the King. Asks that he may be authorized to remove the Council from Annapolis to Canso to call a General Assembly to make laws for the government of the Province, otherwise no man could govern them. Believes that complaints will be sent against him by some of the most villainous principled among them. His hardship, in having to expend £693.10 for subsistence without credit, unless his attorney recover it from Missing, the contractor for provisions. C. 149, B. T. N. S. vol. 5

October 24 Canso. Same to Secretary of State (Newcastle). H. M. S. "Ludlow Castle" ran ashore on a reef of rocks but was got off and sent to Boston to refit; hopes she will be sent in Spring for the protection of the fisheries. Has sent to New England for a reinforcement; proposes to take a tour (described), to humble the villainous French inhabitants. Is sure this "will put it out of the power of the French and Indians to insult us any more, which they have constantly done this four years past." Has intelligence that about 800 intend to attack him this Winter by the underhand order of the French governors of Quebec. Troy River (Trois Rivières), Mount Royal, (Montreal) and Cape Breton.

A. & W. I. vol. 29, p. 68

October 24, Canso. Same to Lords of Trade. Provisions condemned and refused. Missing, the contractor, owes him about £400 sterling. Stranding of the "Ludlow Castle;" she is obliged to go to Boston to refit. Has word that 600 Indians intend to attack him this Winter by orders of the governors of Quebec, Three Rivers, Montreal and Cape Breton. Has written to New England for Indians to be sent in spring; with these, some troops and volunteers, he intends to make a tour of the province, having obtained twelve whaleboats for the purpose; sketches his route. An archangel from heaven cannot govern the fishermen, as may be seen by documents sent relating to Capt. John Elliot. C. 150, B. T. N. S. vol. 5

Enclosed. Papers relating to Elliot. C. 151

Papers relating to survey on provisions. C. 152, C. 153

November 17, Canso. Armstrong to Lords of Trade. Transmits an account of his transactions in Nova Scotia. List of the Council follows.

C. 103, B. T. N. S. vol. 4

Enclosed. "Observations made by Lawrence Armstrong * * "Relating to ye advantage this country might prove to Great Britain by "ye happiness of its situation for Trade, were it thoroughly peopled, and

1725. "places built for security of the Inhabitants." The document gives the boundaries and other particulars. C. 104

"An account of those who has fishing Rooms (with their situation) "laid out to them by order of the Government in Canso." All the names, with the position and dimensions of the lots are given. C. 105

Report of survey on provisions, with accompanying documents. C. 106

List of vessels that have taken and cured fish and exported them to foreign markets. C. 107

Philipps to Lords of Trade returning the documents above mentioned. C. 108

List of those who had fishing rooms laid out by Philipps. The names only are given. C. 109

Memorial of the principal fishers, that owing to the encouragement given they had determined to remove their families to Canso, but owing to changed circumstances, they shall not now do so. C. 110

Certificate that a fishing room has been laid out at Canso for John Roberts. C. 111

List of all vessels that arrived at Canso for the fishery during the year 1724. C. 112

Rules for the settlement of disputes in Canso harbour. C. 113

nber 2, Armstrong to Lords of Trade. Notwithstanding the promises of the French Governor of Cape Breton, he has been issuing passports, two of which he (Armstrong) has taken and of which he sends copies. An attack by Indians and the evil intentioned French inhabitants intended to be made this Winter. Asks if it would not be well for him to take a tour in Spring and compel the Indians and French to take the oath of allegiance, or to leave entirely, which would be the best way, as there is no safety so long as they are allowed to remain. Sends letter from Sable Island and what he has done for the relief of the shipwrecked crew. C. 119.

Enclosed. Letters respecting the stranding of vessels on Sable Island, with letter from de Gruchy that he had assisted them with provisions. Copies of passports referred to in letters.

(The enclosures precede the letter).

mber 2, Armstrong to Secretary of State (Newcastle). In spite of S[r] Ovide's promises, he has been granting passports, two persons have been taken with them, one in trade and one a missionary priest. The passport of the latter gave directions to the commander in the Province, as if he had a right to order them. Has certain information of a projected attack of the inhabitants, to destroy the settlement and fishery, against which the French entertain the greatest jealousy. Asks directions as to the course he is to pursue early in Spring, and if he should make a tour to make the French inhabitants and Indians take the oath of allegiance or to quit the Government, as they never will be safe or secure so long as these people are allowed to be snakes in their bosom. Sends copies of letters from Sable Island. A. & W. I. vol. 29, p. 69

(The enclosures from de Gruchy and passports are duplicates of those in letter to Lords of Trade of same date).

1726. Philipps to Lords of Trade. Additional representations respecting Nova Scotia. 1. Concerning the barracks, fort, &c., which must be extensively repaired. 2. Fortifications required for Canso. 3. The French inhabitants continually inciting the Indians to acts of violence. 4. The necessity of having a vessel to keep up communication between the settlements and the forts. C. 114. B. T. N. S. vol. 4

rnary 15, Lords of Trade to Board of Ordnance. For copies of plans and estimates for forts in Nova Scotia sent by the engineer there in 1720. B. T. N. S. vol. 33, p. 56

1726.
February 23, Ordnance. Ordnance to Lords of Trade. The Board has ordered all plans and accounts relating to Nova Scotia, to be sent to the Lords of Trade; some have to be copied. C. 116. B. T. N. S. vol. 4

February 24, Admiralty. Admiralty (Burchett) to Lords of Trade. That a ship of war has been ordered from Boston to Canso for the protection of the fisheries. C. 117

February 25, Ordnance. Ordnance (Short) to Lords of Trade (Popple). Send three plans by Mascarene and his description of Nova Scotia. The plans are to be returned to the Ordnance. C. 125

Enclosed. Description under the following heads: 1. The boundaries. 2. The climate. 3. The soil. 4. Settlements. 5. Inhabitants. 6. Two reasons for keeping the French inhabitants in the country. 7. Reasons to the contrary. 8. The influence of Cape Breton over the inhabitants. 9. The interest of Great Britain not to delay settling the country. 10 How this is to be done. 11 to 16. Description of the different settlements, the smaller being at present omitted.

Representation by the Council of the sentiments and actions of the French inhabitants and the necessity for strong garrisons. C. 126

Explanation to sundry draughts, &c. C. 127

Materials (should be tools) to carry on the work, to be imported. C. 128

Materials to be procured in Nova Scotia. C. 129

"Some reasons and proposals for settling the main Coast of Nova "Scotia with all Imaginable Speed," &c. C. 130

(The last is neither dated nor signed; it is endorsed: "By Mr. A. "Gambell, received from Col. Bladen.")

Captain Broadstreet. Representation respecting the clandestine trade from New England with the French inhabitants of Nova Scotia. C. 118, B. T. N. S. vol. 4

May 26, Boston. Mascarene to Herbert, at Placentia. His movements. Is here to hasten the completion of the surveying vessel. Not to expend money except what is absolutely necessary. How he should deal with negligent artificers, &c. B. M. add. 19071, fo. 149

June 4, Annapolis Royal. Ratification by the Abenaki or St. John River Indians of treaty made at Boston on 15th December, 1725. A. & W. I. vol. 595

(Copy sent to Secretary of State on 27th July, 1749.)

July 26, Canso. Armstrong to Secretary of State (Newcastle). That in accordance with instructions, dated 20th August, 1725, Major Paul Mascarene had, in conjunction with the New England Government, concluded a peace with the Indians. Sends the articles of peace and submission signed by the Indian delegates. Mascarene is now at Casco Bay with the Lieut.-Governor of New England and other commissioners to have the peace ratified. Sends the agreement made by Lieut.-Governor Doucett at Annapolis Royal with several tribes of Indians on the 4th of June, 1726. The fishery at Canso is pretty considerable, and there is a great demand for the London market. The fishermen, however, grumble at the taxes of 6s. 8d. for the customs, and 3s. 4d. for the naval officer as had not been charged before. He is to meet a considerable body of Indians at Annapolis in the middle of September, but is at a loss for presents usually given them. Asks direction as to administering the oath of fealty to the French inhabitants, which they have refused to take for several years past; they have resolved rather to leave than to take the oath and several have already gone to Cape Breton. Governor St. Ovide with troops and his Council have gone to St. John Island to mark out lands for the French inhabitants, who are quitting the Province to retire under the government of France; this has been managed by the missionary priests. Has lived in friendship with the Governor of Cape Breton, but the French have fortified their posts, whilst he (Armstrong) is left naked, so that in event of war between the two Crowns the British must

1726.

be destroyed, whilst the French would be safe. The insufficiency of his allowance to maintain the dignity of his position.
A. & W. I. vol. 29, p. 75

Enclosed. Articles of submission by the Indians at Boston, 15th December, 1725, signed by the Indian delegates. 76

Agreement signed by Mascarene same date. 77

Ratification by Lieut.-Gov. Doucett, in absence of Armstrong, dated at Annapolis Royal, 4th June, 1726. 78

Ratification by the Indians of the same date. 80

y 27, so. Armstrong to Lords of Trade. Mascarene has concluded a peace with the Indians; articles sent. Mascarene is now on the frontiers of New England to conclude a peace with the other Indians. The fishery at Canso is pretty considerable this year, but not so good as the last, owing to the new charge for fees. Expects the arrival of Indians in September, and is at a loss how to manage about presents for them. The French inhabitants rather than take the oaths will leave the Province; asks instructions thereon; his endeavour to live at peace with them. The inadequacy of his pay to meet expenses.
C. 131, B. T. N. S. vol. 4

(See also letter to Lords of Trade, same date, and enclosures marked in this volume C. 132, C. 133).

gust 16, napolis yal. Doucett to Secretary of State (Newcastle). Sends formal ratification by the Indians of the articles of submission and a representation in his favour.
A. & W. I. vol. 29, p. 81

Ratification. 83

Representations by the officers and inhabitants of Annapolis Royal in favour of Doucett. 84

gust 16, napolis yal. Doucett to Lords of Trade. Has since Philipps went to England addressed all communications to him to be laid before the Board. Now sends ratification of peace with the Indians at a considerable expense for presents, but would bring this before the Board on his arrival. The Indians only agree to be neutral.
C. 120, B. T. N. S. vol. 4

(See enclosures in letter to Newcastle of this date.)

vember 24, napolis yal. Armstrong to Temple Stanyan. Owing to the death of Doucett, hopes that he may obtain the pay, which could not be given whilst there were two Lieut.-Governors.
A. & W. I. vol. 29, p. 85

vember 24, napolis yal. Same to Secretary of State (Newcastle). Sends documents to show his proceedings since he wrote from Canso. No 1. Ratification of peace by the Indians. 2. List of the fishery at Canso for 1726, believes it to be worth a fortification for security, as the French of Cape Breton look on it with an evil eye, and on the least pretext are ready to destroy it and the settlement; at least 300 men are needed for a garrison. 3. Oaths administered to the inhabitants of the river Annapolis Royal, who could never be persuaded to take them before. Shall send them in Spring to be administered in the other settlements. The French and Indians are well pleased with the peace and the oath of fidelity. It is desirable to send presents annually to the Indians. 4. The miserable state of the fortifications of Annapolis Royal, signed by all the officers. 5. Minutes of the Council. The death of Doucett will give an opportunity to allow him (Armstrong) the pay promised on the first vacancy. The failure of Borland, merchant in Boston, to supply the contractor, has left the garrison in great distress for want of provisions. Had killed about 60 oxen and cows which weighed very small and has sent for 150 barrels of pork from New England, which he fears will miscarry, as so severe a fall was never known in the country. 86

mber 24, apolis al. Same to Lords of Trade, to the same effect as the preceding (C. 141), with documents enclosed marked C. 142 to C. 145. B. T. N. S. vol. 5

1726. December 24. Armstrong to Secretary of State (Newcastle). Recapitulates contents of previous letter. Indians from Canada marching on New England; two women and two children missing; it is believed war is intended. All quiet so far at Annapolis, but if attacked the garrison will be in a bad condition. Is taking steps to have the fortifications picketted. Clothing, &c., received for the troops; garrison healthy; officers murmuring about their subsistence. Bill drawn for subsistence protested for alleged want of advice, which is groundless. Had advised the distress for want of provisions. The failure on the part of Borland of Boston. An order by Armstrong to Lieut. Milledge, R.A., dated 5th December, 1726, enclosed, to make certain repairs to the fortifications, sanctioned by all the officers. A. & W. I. vol. 29, p. 100

Second representation on the state of the garrison. 101

(Letter to the Board of Trade to the same effect is marked C. 136, B. T. N. S. vol. 4, also enclosures marked C. 137 to C. 139).

1727. February 15, Whitehall. Order in Council referring to the Lords of Trade the consideration and preparation of a scheme for establishing a form of civil government in Nova Scotia, and to report also what encouragement should be given for the peopling of the Province. C. 124, B. T. N. S. vol. 4

April 30, Annapolis Royal. Armstrong to Secretary of State (Newcastle). Arrival of Gamble, formerly a lieutenant in the army, who came with Major Cosby to Boston, where the latter remains in defiance of orders to come to his post at Canso. Gamble on his arrival associated with anti-monarchical traders from Boston and with evil intentioned French inhabitants, who had lately taken the oath of fidelity whom he assured that he (Armstrong) had no power or authority to administer oaths and that Major Cosby would arrive in Spring to govern the Province. Gamble has instilled rebellious principles into the inhabitants of Minas and Boabassin (Beaubassin), two of the principal settlements, to the former of which Captain Bennet and to the latter Ensign Philipps were sent to administer the oaths. Both have returned with the resolution of the inhabitants not to take any oath but to their "Bon Roy de France." This has been occasioned by the incitements of Gambell and three or four New England traders, now trading with Indians, who are rebels. Missionary priests are also assembling Indians to make war on British subjects in the Province and in New England. Asks for protection against Gambell's charges; he must be encouraged by enemies to the Province otherwise he would not of himself come into the Province to commit such evil practices. Sends another representation respecting the fortifications, which must be either repaired or demolished and another erected at Minas, or wherever it shall be thought necessary to quell the rebellious inhabitants. Asks that presents be sent for the Indians as requested, so as to keep the peace with them, effected after they had barbarously murdered many of His Majesty's subjects in their last war. Meeting of Indians called by Marquess de Bournoire (Beauharnois), Governor of Quebec, to incite them to war and various tribes from the Massacipy (Mississippi) are reported to be on the way to make war with the Indians who have made peace with His Majesty's Provinces, and these latter Indians report that twenty of their chiefs have gone to Quebec to know why the governor is disturbing their present tranquillity. This report may only be a stratagem to throw him off his guard. Had given leave to St. Ovide, Governor of Cape Breton, to obtain "refreshments" (provisions) at Annapolis, for which he had sent two vessels. This indulgence is censured by New England merchants, who, he believes, will complain against him on that account. Captain Bennet, the bearer of this letter, will report the disposition of the French inhabitants and of the missionary priests, who instil hatred into both French and Indians against the English. A. & W. I. vol. 29, p. 102

1727.

Enclosed. Copy of answer by the inhabitants of Beaubassin.

"A l'Honorable Laurent Armstrong, Ecuyer, Lieutenant-Gouverneur "et Commandant en chef de la Province de Sa Majesté de Lai Nouvelle "Ecosse, Et Lieut. Col. d'un Regimt, d'Infanterie Commandé par l'hon. "Richd Philipps, Ecuyer.

"Au nom de tous Les Habitants de BeauBassin.

"Nous prenons touts la Liberté de vous assurer de Nos très Humbles "respects Et en même temps vous faire la Reponce sur le Serment que "vous Exigez de Nous, nous Prenons touts la Liberté de vous dire, que "nous ne pouvons fair ce serment par rapport aux Sauvages qui nous ont "menacés, que si tot que nous aurions signées pour vous qu'ils levront la "Hache Contre nous Et aussi que nous voulons toujours estre fidels à "Notre Bon Roy de France.

"Nous nous soumettons Cependant sous l'obéissance de Vostre Gouver- "nement sans prester aucun serment Et payant les Droits Comme nous "avons faits dans le temps que nous avons estés sous la Puissance Fran- "çoise.

"Mons, avec Respects &c."

A. & W. I. vol. 29, p. 105

Five names are attached, four with marks, namely, Michel Poirier, Jacque Ebert, Augustin Godet and Pierre Cormier. Charles Bourgeois signed his name.

Report by Ensign Philipps of his transactions at Beaubassin. 106

Report by Captain Bennet of his proceedings at Minas. 107

Answer by inhabitants of Minas refusing to take the oath, but engaging to commit no acts of hostility. 108

Representation on the state of the garrison of Annapolis Royal. 109

(A letter to the Lords of Trade of the same date and to the same effect, with enclosures, is in B. T. N. S. vol. 5 marked C. 154, the enclosures C. 155 to C. 157).

ay 25. Philipps to Lords of Trade. Sends considerations respecting the security and settlement of Nova Scotia. The ruinous state of the fort of Annapolis Royal. The French inhabitants should either be made to take the oath of allegiance or to be got rid of. Canso the most important place at present. The necessity of a ship to keep up communication between the settlements and seat of Government; leaves ways and means for this to their Lordships. Asks that the restrictions on grants may be reconsidered. C. 140, B. T. N. S. vol. 4

une 7, Whitehall. Lords of Trade to Privy Council. Report in accordance with order of 15th February, 1726, on the Civil Government of Nova Scotia, the better peopling of it, the preservation of the woods. On the first subject, reference is made to former reports. On the second, they briefly state the advantages of Nova Scotia, yet it still remains a burden whilst the French reap solid advantages, owing to the presence of the French inhabitants contrary to the treaty of Utrecht, who refuse to take the oath of allegiance and have been the great support of all the French colonies in their neighbourhood, without which neither Cape Breton nor Isle Madame could have been established as they are. The great encouragement given by the French Government towards settling their colonies, by paying for transport, supplying provisions and building forts. Several proposals have been made for settling the lands, but from some cause of other, not one of these has taken effect so that greater encouragements are necessary to induce people to settle in Nova Scotia, on account or the risks arising from want of defence. Propose a fund to be created, arising from the French lands in St. Christopher, for which a precedent already exists. Proposals for preserving the timber by reservations in the grants, &c. Recommend the building of forts. Conditions of settlement, transport of settlers, a grant of 50 acres on arrival; double

1727. that quantity to be granted to carpenters and other artificers; the same to the soldiers of Philipps's regiment and their families, who shall turn planters; their pay to be continued for one year after the grant; recruits may be discharged after three years and have a like grant; every soldier to have leave to carry his wife with him, their transport to be paid by Government; encouragement to be given to intermarriage with the Indians; the grants now restricted to 500 acres to one person to be extended to 1,000 acres, free from fines and also from quit rent for ten years; the sloop now in Nova Scotia may be refitted for the service of the colony. The Governor and Council to be empowered to make laws, until there be a sufficient population for an Assembly. The example of Jamaica is quoted in respect to settlers. B. T. N. S. vol. 33, p. 57

(See also A. & W. I. vol. 602).

September 20, Boston. Thomas Lechmere to Lords of Trade. Had sent documents relating to certain transactions in Nova Scotia to the Board of Customs, asking that the traders and inhabitants be allowed to conduct their business without molestation. C. 172, B. T. N. S. vol. 5

October 4. B. de LaFontaine to Lords of Trade. On behalf of Missing, contractor to supply provisions for the garrisons in Nova Scotia; explains the dispute with Armstrong about victualling Annapolis. C. 146

October 5, Whitehall. Lords of Trade to Armstrong. Complaint against Borland respecting provisions being settled, will not bring it before the Treasury. B. T. N. S. vol. 33, p. 72

November 17, Annapolis Royal. Armstrong to the Secretary of State (Newcastle) want of a quorum of Council; the necessity to appoint military officers and the difficulties arising from a question of precedence; how settled. Reports on the proceedings at Minas and Checanectou laid before the Council. The Secretary instructed to write inviting delegates to a conference, but the only effect was to make their contempt of Government more manifest, owing to the base suggestions of one or two traders. It is time to assert authority, the impunity of so many villanies and robberies having encouraged the inhabitants. Has resolved to punish them by a withdrawal of traders who purchase their grain, the only trade they have. Open violation of the order by two traders from Boston; asks for instructions on that head; the effect of the disobedience, &c. Refusal of the French to take the oath of allegiance to the new King (George the Second). Landry and Bourgeois put in irons as ringleaders, but released on bail. Asks instructions respecting them and the French inhabitants, debarred from fishing. An officer sent to the various posts to proclaim the accession of George II. Report of murders by Indians within 15 leagues of Canso and seizure of a sloop in Newfoundland. Restitution demanded from St. Ovide. Necessity of appointing new councillors. A. & W. I. vol. 29 p. 110

Enclosed. Minutes of Council from 13th May to 13th November, 1727. 116

Memorial of W. Winnett on the disposition of the inhabitants and Indians of Minas, &c., and how to deal with them. 138

Proclamation to prevent trade with Minas, &c. 140

Representation (in French) of the inhabitants of the river Annapolis, that they are unable to subsist themselves and cannot supply the garrison with wheat. 141

Proclamation to the inhabitants of Annapolis Royal to take the oath of allegiance to George II., followed by a copy of the conditions (in French) on which the inhabitants will take the oath. 141

Report by Ensign Robert Wroth of his proceedings up the Bay of Fundy in respect to the accession of George II. 143

1727.

Articles granted by Wroth to the inhabitants of Minas, Pissiquit and dependencies, followed by the signatures, and the same for Chignectou (Chignecto) followed by signatures. (These articles Armstrong refused to ratify). 147

Proclamation of the accession of George II., with the dates when proclaimed at the different settlements. 151

Orders and instructions to Ensign Wroth on his voyage to proclaim the accession. 152

Governor St. Ovide to Armstrong (in French). Thanks for his services to M. Latour, &c. M. Breau, missionary, whom he (Armstrong) allowed to go to Canada, has returned to go to Cobequit, where he is persuaded he will maintain the conduct worthy of a good missionary. Is mortified at the capture by Indians of a vessel at Newfoundland. Had been unable to secure her return, as the Indians threaten to burn her, but he had bought her at a very low price. He (St. Ovide), had written to the owners at Boston, that they can have the vessel by paying what she cost to buy her back. The Indians threaten to take and destroy all Boston vessels out of revenge for the Indians hanged last Autumn; is mortified at the imprudent conduct of the Boston Council, when the Indians appear to be sincerely in favour of peace. In consequence of the conduct of the Recollet missionary at Beaubassin, had ordered him to return to his convent in Canada. Had here a good secular priest who was willing to go to Beaubassin, whose conduct would give no cause for complaint. Professions of friendship. 153

ovember 13, nnapolis oyal. Armstrong to St. Ovide. Acknowledges receipt of letter. Is glad of the return of M. Beau, whom he regards as a man of piety and honour. Is concerned at the report of the capture of the sloop at Newfoundland; had desired Captain Bennett to call at Isle Royale (Cape Breton) to expostulate with him (St. Ovide) on the subject. The shallops used by the Indians were under French colours and appeared to have been lent or fitted out at Isle Royale. Suitable satisfaction for the piratical attack is therefore demanded. A. &. W. I. vol. 29, p. 154

ovember 17, nnapolis oyal. Armstrong to Lords of Trade. From want of a quorum of Council, had added certain of the military officers; dispute about precedence between the old and new; how it was got over, Shirreff dissenting and giving up his office of Secretary, which was taken by a lieutenant in the garrison. The steps taken, but without any good effect, to conciliate the French inhabitants; two New England traders have contributed to this result. Proposal to restrain them from trading and a proclamation issued accordingly, but treated with contempt by the two Boston traders; the ill effects of this. Distribution of the garrison. Account of the transactions (given at length) at the proclamation of the new King and tender of oaths of allegiance to the French inhabitants from taking which they were terrified by their deputies. Attacks by the Indians, &c. C. 158, B. T. N. S. vol. 5

Enclosed. Copy of proclamation of the accession, with the signatures of the Indians and inhabitants of St. John River, Chignitou (Chignecto) Grand Pré and Pisiguit. At the end of the treaty is the obligation, namely, "Nous reconnoissons toute sorte de fidelité, et d'obéisance avec une "affection très humble et sincère priant DIEU par qui Les Roys and "Reinnes Regnent à Bennir Le Roy George Le Second et de Rendre son "règne sur nous Long et heureux. Dieu conserve le Roy." C. 159

(For other enclosures marked C. 160 to C. 171 see letter to Secretary of State of same date in A. and W. I. vol. 29, p. 110, and the accompanying enclosures).

1728. rch 13, itehall. Secretary of State (Newcastle) to Lords of Trade. To prepare commission and instructions to Philipps, as Governor of Placentia and Nova Scotia, to be submitted to His Majesty. C. 147 B. T. N. S. vol. 5

1728.
May 22, Whitehall. Secretary of State (Newcastle) to Lords of Trade. To consider the proposals of Philipps, and what measures are most necessary for the better settlement of Nova Scotia. The proposals of Philipps are enclosed. C. 148, B. T. N. S. vol. 5

May 28, Whitehall. Lords of Trade. Report to the King on the petition of Elliot respecting his services on the coast at Canso, and asking to be appointed Collector of Customs at Newberry. His statements are true and his petition may be granted. B. T. N. S. vol. 33, p. 74

May 31, Whitehall. Same to Secretary of State (Newcastle). Transmit report on Philipps's petition on state of Nova Scotia. 76

Enclosed. The report. It refers to previous reports on the subject of peopling Nova Scotia. 77

June 2. Passport, undated, laid before the Lords of Trade on the date in the margin. It is a translation into English, and is endorsed: "Copy of "an obligation under ye hand of Mons. Subercasse, the French Gov. "of Acadie and Cape Breton, &c., dated ye 23rd of October, 1710, where "he promises to procure Papers in France, for Major Mullins &c rest "from Col. Philipps." It is in reality a safe conduct to Major Richard Mullins and Charles Brown, who were ordered by General Nicholson to sail for Rochelle or Rochefort, so that they might go and return without molestation. It seems to be incomplete. C. 173, B. T. N. S. vol. 5

(See A. 50, B. T. N. S. vol. 1).

June 18, London. Proposals by Captain Thomas Coram for settling a tract of land between Nova Scotia and Maine. The memorial, 12 pages, gives a history of the changes of ownership and the violation by Massachusetts of their obligation to settle the country. C. 174

Enclosed. Offer by James Stirling and Joseph Watson to settle in Nova Scotia, should Coram be placed there, they each to take out £1,000. C. 175

(This is the same Thomas Coram who established the Foundling Hospital in Guildford Street, London, incorporated in 1739).

June 27, Whitehall. Lords of Trade to Armstrong. Have reported on matters relating to the peopling and settling of Nova Scotia. A surveyor-general appointed who is to set aside wood land for His Majesty's use. B. T. N. S. vol. 33, p. 79

(The commission and instructions to the Surveyor-General are in vol. 10. "B. T. Plantations General," marked I 100, in which are three documents. I 99 is an Order in Council to all Governors to assist the Surveyor General).

June 29, Whitehall. Order in Council that Philipps is at once to repair to Nova Scotia; the Lords of Trade to prepare commission and instructions to be sent after him when approved of. C. 176, B. T. N. S. vol. 5

July 9, Annapolis Royal. Armstrong to Lords of Trade. Had sent papers by Captain Bennet. Since then the French continue to refuse to make submission to the King's Government. They have an insuperable aversion to the English nation. Their disobedience is largely owing to the lenity of Government, and under the instructions given to Philipps he has no authority to proceed against non-jurors. Refers to previous information sent of murders by the Indians on the instigation of the French. In May about 26 Indians under the command of three or four sachems came from the St. John River to ratify the peace made at Boston to make their submission; these he gave presents to and entertained at his own expense, as he has no allowance for these purposes, nor has he had any salary hitherto. C. 188+189, B. T. N. S. vol. 5

July 9, Annapolis Royal. Same to Secretary of State (Newcastle). A letter to the same effect as that of the same date to the Lords of Trade, but with variations. A. & W. I. vol. 29, p. 155

July 12, Annapolis *Royal.* Same to Stanion. Is disappointed at not hearing from him. Asks for leave of absence to settle his affairs. 156

1728.
ly 16, Whitehall. Lords of Trade to Secretary of State (Newcastle). Transmit draughts of commission and instructions to Philipps to be Governor of Placentia and Captain-General and Governor-in-Chief of Nova Scotia with representation thereupon to be laid before His Majesty.
B. T. N. S. vol. 33, p. 81

Report to the King on the commission and instructions to Philipps. 82

Commission. After the formal preamble, the commission appointing Philipps to be Governor of Newfoundland and Nova Scotia provides that he is to obey instructions under the sign manual, by Order in Council or laws made in the Province; to appoint twelve persons for his own council; to take and administer the State oaths and oaths of office; to arm the inhabitants for the defence of the Province; to grant land under quit rent and services reserved for the Crown; to administer the state oaths to all capable by law to take them. By the commission he was to be Governor during pleasure. 85

Instructions. 94

ly 25, Hampton Court. Order in Council. Form of commission is approved of; a warrant ordered to be prepared accordingly. C. 177, B. T. N. S. vol. 5

Enclosed. Other papers on the same subject. C. 178 C. 179

gust 14, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send instruction for Philipps respecting trade and navigation, with a representation on the subject. B. T. N. S. vol. 33, p. 120

Enclosed. Representation. 121

(The instructions on trade are the same as those to other Governors amongst papers relating to Plantations General).

ptember 17, Canso. Capt. Conolly to Philipps. Reports the ungenerous conduct of St. Ovide in respect to deserters, the evil effect on the other men. Complains also of the New England fishermen, who have taken away several men. Arms received; bad state of the barracks and guard-room; consequent ill health of the men. A. & W. I. vol. 29, p. 157

tober 8, Whitehall. Lords of Trade to the King. Report that a public seal is necessary for Nova Scotia. B. T. N. S. vol. 33, p. 122

On the 24th of January, 1729, a draught of the seal was sent: "Where-" in we had particular regard to the Product and Fishery of the Province " both in the device and motto. On the Reverse of this Seal we would " humbly propose your Majesty's Arms, Garter Supporters and Motto, " with this inscription round the circumference, 'Geo. 2 Dei Gratia " Magnæ Brittanniæ, Franciæ & Hiberniæ Rex; Fidei Defensor; Brunsvici " Luneburgi Dux, Sacri Romani Imperii Archi Thesaurarius et Elector." 123

On the 6th of November an Order in Council was sent to the Lords of Trade to prepare a seal. The description in report read before the Council on the 26th March, 1729, was the same as that sent to the Duke of Newcastle on 3rd March, 1730, which runs: "The same representing " on one side the country of Nova Scotia and a British merchant trading " with an Indian for Furs, and also a Fishing Vessel, Boat and Net, with " this inscription round it Sigillum Provinciæ Nostræ Novæ Scotiæ in " America and in the exergue this motto Terræ Marisque Opes." The reverse is the same as that in the report from the Lords of Trade of 7th September, 1728, except that the titles are abbreviated, only the initials being given. 222

vember 1, Canso. Philipps to Secretary of State (Newcastle). Respecting the settlement in Placentia; the conduct of the Lieut.-Governor; suggests his removal to Canso so as to free the fishery at Placentia from future disturbance.
A. & W. I. vol. 29, p. 158

Enclosed. Orders and letters to the Lieut.-Governor of Placentia, respecting the fishery, dated in 1720 and 1722, referred to in letter. 159

1728.
November 6. Order in Council to have a seal prepared for Nova Scotia.
C. 180, B. T. N. S. vol. 5

No date. Memorial of Lewis Armstrong for the moiety of salary and perquisites payable to the Governor, to which he (Armstrong) is entitled during the absence of Philipps.

Another memorial addressed to the Secretary of State (Newcastle), praying to be appointed Lieutenant-Governor of Nova Scotia.

Both memorials are among the undated papers at the end of A. & W. I. vol. 598. Newcastle was appointed Secretary of State in July, 1727.

1729.
January 24, Whitehall. Draught of the seal of Nova Scotia. (The description is given in note to letter of the Lords of Trade of 8th October 1728).
B. T. N. S. vol. 33, p. 123

March 17, Whitehall. Secretary of State (Newcastle) to Lords of Trade. Transmits documents relative to a proposal by David Dunbar to settle Protestant families in Nova Scotia. Memorial by Dunbar is attached.
C. 181. B. T. N. S. vol. 5

Other documents of subsequent dates. C. 182 to C. 185

March 21, Whitehall. Lords of Trade to Secretary of State (Newcastle). Transmit report on Dunbar's proposal to settle some Irish families in Nova Scotia.
B. T. N. S. vol. 33, p. 123

Report, recommending two large settlements, one at or near Annapolis, the other at or near Canso. 124

(For duplicate see A. & W. I. vol. 594, p. 93).

March 26, Whitehall. Report by Lords of Trade, with description of seal for Nova Scotia.
C. 191. B. T. N. S. vol. 5

April 2, London. Philipps to Secretary of State (Newcastle). Desires to return to the Government of Nova Scotia as early as possible and asks for a passage by one of the ships for Placentia or Canso. A. & W. I. vol. 29, p. 160

May 5, London. Same to Stanyon. That the refusal of a passage was alleged to arise from the quantity of room he would require. There are only himself and two servants. The indignity as well as inconvenience of a refusal. 161

May 10, Admiralty. Admiralty to Lords of Trade. The "Rose," ship of war, goes to Canso to protect the fishing. If the Lords of Trade have any orders to give to Captain Weller of the "Rose," they are to be sent to the Admiralty. C. 186. B. T. N. S. vol. 5

May 14, Whitehall. Lords of Trade to Privy Council. Respecting Dunbar's proposal to settle Protestant Irish families, now in New England, and about 500 Palatine families on lands to the East of Kennebec, the distance being too great to Annapolis or Canso to allow of the Irish families transporting their cattle there. Suggest that it would be desirable to settle 100 Palatine families in these two places, the cost of which would, as Hinze calculates, be about £1,600 and an allowance for himself and two assistants of about £120 more. Other remarks. B. T. N. S. vol. 33, p. 130

May 14, Whitehall. Same to Secretary of State (Newcastle). In relation to papers from Dunbar, have already recommended the sloop asked for by him. 140

(See also A. & W. I. vol. 602).

May 16, Whitehall. Same to Dunbar. Consideration of the settlement between Kennebec and the St. Croix has been deferred by the King's departure. The employment of the sloop has been recommended. B. T. N. S. vol. 33, p. 142

May 16, London. Dunbar to Popple (Secretary to the Lords of Trade). The opportunity for making the proposed settlement having passed, he proposes to buy a sloop to carry the forty men at his own expense to Nova Scotia, trusting to be repaid. The obligations he has incurred for the settlement which he believed had been decided on. Is willing to assist any other who may be appointed to take charge of the settlement, as he does not seek for any private advantage. In a postcript he says: "Some "New England agents who attended ye Council yesterday & heard of

1729.

"my success the night before have boasted of the Disappointment as "many of 'em have lately taken possession of great tracts where I pro- "posed to fix the Irish familys." C. 187. B. T. N. S. vol. 5

May 19, Whitehall. Lords of Trade to Burchett. The usual heads of inquiry respecting Newfoundland are before the King. Transmit the queries respecting the fishery at Canso, to be given as instructions to Captain Weller, going there on service. B. T. N. S. vol. 33, p. 143

The heads of inquiry follow. 144

A form of return called a "Scheme" is attached to the heads of inquiry. 154, 155

(These heads differ to some extent from those prepared at earlier dates).

May 22, Kensington. Order in Council. Proposed instructions to Philipps approved of. C. 190. B. T. N. S. vol. 5

May 28, Whitehall. Lords of Trade to Armstrong. His letter of July last (1728) received. The question of civil Government is now before the King, so that he may soon expect to receive His Majesty's pleasure thereupon. Dunbar appointed Surveyor General of Woods. B. T. N. S. vol. 33, p. 156

June 23, Annapolis Royal. Armstrong to Lords of Trade. Has been now induced to write, owing to the unsettled state of the Province and the Council being unhinged by death or other causes, as he is unable to fill up the vacancies from the want of suitable settled inhabitants, until he shall receive instructions. Complains of Major Cosby for abetting a faction in the garrison. M. Breslay, a popish priest, has been assuming judicial functions. Had sent for him, but owing to a warning from Cosby, Breslay had absconded and is now stirring up the Indians. Had employed Maugeant, a French gentleman who had taken the oaths, to read a proclamation ordering Breslay to leave within a month; on his return Maugeant was insulted and abused by Cosby, who made a counter charge against Maugeant, which was examined and found groundless. The report of the examination sent. From Cosby's conduct he should not be allowed to remain; he has, in fact, tried to excite mutiny. Complains also of the conduct of the Collector of Customs, entering into long details. The want of a Court of Admiralty. C. 200. B. T. N. S. vol. 5

Enclosed. Examination of the complaint against Maugeant. C. 201

Papers respecting the seizure of the schooner "Dragon" by the Collector of Customs. C. 202

Papers relating to other seizures. C. 203

June 24, Annapolis Royal. Resignation by Wroth of his office of adjutant in favour of Lieut. Hamilton. C. 204

June 28, Whitehall. Lords of Trade to Dunbar. Sending copy of report in relation to erecting a new government between New England and Nova Scotia. B. T. N. S. vol. 33, p. 157

(The report spoken of (not enclosed) is probably that made to the Privy Council on 14th May, beginning at p. 130 of vol. 33).

July 8, Canso. Address to Philipps from the fishermen and others, of Canso, congratulating him on his safe arrival. A. & W. I. vol. 29, p. 162

August 19, Canso. Another address. 163

September 28, Boston. Proposal to settle French Protestant families in Nova Scotia signed by Andrew Le Mercier. 164

September 29. Grant to Joseph Watson & Co. See 10th January, 1732.

October 2, Canso. Philipps to Secretary of State (Newcastle). His arrival in Canso at the end of June. His satisfaction at the great growth of the Province in the fishing trade since it was first settled; on his arrival he found 250 vessels, and 1,500 to 2,000 hands employed catching and curing fish, the produce of which is thought to contribute more to the customs of Great Britain than that of any other province, Virginia excepted. Many

1729.

families would settle if they saw the beginning of a fortification for their protection. Is preparing to leave for Annapolis, where he is looked for; the French inhabitants there are prepared to comply with whatever terms of submission he proposes. Sale of government vessel and purchase of another. Sends William Richards to Britain, a prisoner. A. & W. I. vol. 29, p. 165

Enclosed. Deposition respecting the killing of one Williams, in which Richards was concerned. 166

Report of survey on the schooner William Augustus (A duplicate follows). 168

October 2, Canso. Philipps to Lords of Trade. Substantially as in preceding with some additional details. C. 205, B. T. N. S. vol. 5

Enclosed. Survey on the Provincial vessel. C. 206

(Duplicate of the enclosure to Newcastle in letter preceding this).

October 23, Whitehall. Order-in-Council, returning for further consideration two reports by the Lords of Trade on proposals by Dunbar for settling families in Nova Scotia. C. 192, B. T. N. S. vol. 5

November 10. "Hints" (undated) from Thomas Coram for the settlement in Nova Scotia of a proposed colony of German families, under the care of Mr. Daniel Hintze (laid before the Lords of Trade on the date in the margin). C. 193

November 20, Whitehall. Secretary of State (Newcastle) to Lords of Trade. Transmits for consideration letter from David Dunbar respecting proposed settlements, and for opinion what directions should be sent him. The letter from Dunbar is enclosed. C. 195

November 25. Copy of a report of Council dated 17th December, 1720, laid before the Lords of Trade on date in the margin. (See at the date of the report).

November 25, Annapolis Royal. Philipps to Secretary of State (Newcastle). Had already reported his arrival; remained at Canso till the 17th October, when the fishery broke up. Found discontents among the people which he allayed and they promised to return next season, to consult as to further measures for the fishery, which exceeds anything in America, and to arrange about fresh provisions, which they now get from New England at exorbitant prices. Had arrived after a long and severe passage, as the last vessels were sailing. The joyful reception he met with, especially from the French inhabitants; hopes soon to annouuce their entire submission and their having taken the oath of allegiance. To confirm them in obedience, new grants should be made and the old ones cancelled. Asks instructions whether they are required and in what manner to contribute towards the support of government, which is what they expect. Transmits proposal to settle 100 French Protestant families; the character of Le Mercier, the undertaker; recommends the proposal. Reduction in the number of councillors; has appointed Major Cope; two more are required to complete the number. Has fixed next week to receive the submission of the French inhabitants of this (Annapolis) river; the impossibility of carrying on government service without a vessel. A. & W. I. vol. 29, p. 171

(A duplicate at p. 174).

Enclosed. Address of welcome to Philipps at Canso, 19th August. 177

Proposal for settling a colony of French Protestants in Nova Scotia. 178

Answer by Major Cope to Mr. Le Mercier, minister of the French Church at Boston. 179

Address by shoremen & fishermen to Philipps at Canso, 8th July. 180

November 25, Annapolis Royal. Philipps to Lords of Trade. Substantially as letter to Secretary of State, immediately preceding, with variations. The enclosures are duplicates. C. 207 to C. 211, B. T. N. S. vol. 5

1729.

Other duplicates follow. C. 220 to C. 222 and C. 224

December 4, Whitehall. Lords of Trade. Report to Privy Council on Dunbar's proposal to settle Irish and Palatine families in Nova Scotia and between Penobscot and the St. Croix. Ancient claims to the lands revived. Conditions stated by the Privy Council on which these lands should be granted to the claimants to the East of the Kennebec; those to the North of the Penobscot to the St. Croix to be granted as His Majesty shall direct. The Lords of Trade recommend that until all doubts as to the right to grant lands between the Kennebec and Penobscot be removed, Dunbar should be instructed to settle between the Penobscot and St. Croix. The extent of the cession of Acadia by the French to be referred to the Attorney and Solicitor General. Recommend for the settlements in the meantime the system followed in New England with some small alterations, and in the first settling of every township, land should be set apart for the maintenance of a minister, a church and a grammar school. If approved of, the recommendations should be embodied in instructions to Dunbar. Recommend the request of Hintze for payment of his services and those of two assistants to go to Germany for the Palatine families. B. T. N. S. vol. 33, p. 158

Copy of the report was sent to Newcastle the same day. 166

December 8, Whitehall. Order in Council on report from the Lords of Trade respecting the proposed settlements by Irish families at Penobscot and by Palatine families near Canso and Annapolis. The report is approved of and the Lords of Trade are directed to prepare instructions to the Governor of Nova Scotia and the Surveyor General of woods in North America. The report of the Lords of Trade (see vol. 33, p. 158, 4th December) is in the same cover. C. 196, B. T. N. S. vol. 5

Enclosed. Petition of Daniel Hintze respecting the German families from the Palatine to settle in Nova Scotia. C. 197

December 9. Lords of Trade to Secretary of State (Newcastle). Report on proposed settlement in Nova Scotia, between the Kennebec and St. Croix, of Irish families now in New England and of Palatines. A. & W. I. vol. 602

December 25, "Rose." Captain Weller to Lords of Trade. Sends information, in answer to queries, respecting the fishery of Canso and that of the French at Cape Breton. The statement follows the letter. D. 2, B. T. N. S. vol. 6

A letter from Captain Waterhous of H. M. S. "Winchelsea" contains answers to the same queries as those in D. 2; the answers in his case are on a separate sheet, prefixed by a "Scheme" of the fishery at Canso, that is a statistical account of the number of vessels, crews, catch, &c. D. 4

1730.

January 3, Annapolis Royal. Philipps to Secretary of State (Newcastle). The date on the letter is 1729, old style). Duplicate of letter of 25th November, 1729, with an addition beginning: "Thus far a duplicate of my last." (See 25th November A. & W. I. vol. 29, p. 171). The importance attached to obtaining the submission of the French inhabitants. The parchment enclosed with the signatures will show the progress made in less than three weeks. The subscribers are the whole inhabitants on the Annapolis River from sixteen years upwards. The signatures had been obtained without threats or a scandalous capitulation, as had been made by Ensign Wroth of his regiment, who is now in England, asking for a reward for his services. Must delay with the other settlements on the Bay of Fundy till the breaking up of winter. Daily expects delegates thence through the woods to give assurance of the readiness of these people to submit in like manner. Arrival of Colonel Dunbar at Boston, where he was placed in command of the Province of Maine, which he (Philipps) had believed to be part of his Government. The advantages Dunbar has in settling the lands, which he (Philipps) does not possess, his hands being tied till the survey of the whole Province is finished.

1730.

Maine has the further advantage of being free from Custom-house officers for seven years, which will draw people, a favour he could not procure for Canso, which involves inconvenience and expense. Report that the Governor of Placentia is placed on a different footing.
A. & W. I. vol. 30, p. 1

(*Enclosed*). "Traduction de la sixiéme article des ordres de Lieutenant Gouverneur Armstrong regardant particulièrement les habitants de cette Province." 7

Address of the inhabitants of Annapolis Royal on his arrival (in French). 8

Oath of allegiance taken by the same. 9

January 12, Whitehall. Lords of Trade to Treasury. For an order to pay Hintze and two assistants £120 for engaging Palatines to emigrate.
B. T. N. S. vol. 33, p. 167

January 22, Whitehall. Same to Privy Council. Transmit additional instructions for Philipps and Dunbar, for His Majesty's approbation. 168

Additional instructions in respect to the settling of Irish and Palatine families, subsequently modified, the revised instructions transmitted on 25th March to Philipps (p. 180), to Dunbar (p. 190). 180, 190

January 30, Annapolis Royal. Philipps to Lords of Trade. (To, but not including A, is a duplicate). The French inhabitants at Annapolis have made submission; the scandalous stipulation made with them by Wroth. Must wait the breaking up of the winter before opening communications with the other settlements but expects their deputies through the woods. Learns that Dunbar is to be free from Custom-house officers for seven years, a favour he could not get for Canso. Submits to the change in the Government of Placentia. The spirit of faction seems to have ended since his arrival.
C. 212, B. T. N. S. vol. 5

Enclosed. Copies of oaths, C. 213, C. 214.

Translation (into French) of the sixth article of Armstrong's orders.
C. 215

February 18, Whitehall. Order returning the instructions prepared by the Lords of Trade for certain modifications. C. 198

The attachment of Hintze to the House of Hanover certified by Colonel Williamson. C. 199

March 3, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send draught of warrant for the seal of Nova Scotia. B. T. N. S. vol. 33, p. 222

(See Lords of Trade 8th October, 1728).

March 13, Whitehall. Lords of Trade to Treasury. Recommend young Hintze to succeed his late father in charge of the Palatines and that the money for the father should be paid to the son. B. T. N. S. vol. 33, p. 176

March 25, Whitehall. Same to Privy Council. Transmit revised instructions for Philipps and Dunbar. 178

(The instructions follow at pages 180 and 190, as already noted).

April 3, Whitehall. Lords of Trade to Philipps. Introduce and recommend Hintze, in charge of Palatine settlers. B. T. N. S. vol. 33, p. 199

April 20, St. James's. Order in Council approving of proposed instructions to Philipps, Governor, and to Dunbar, Surveyor General, and ordering warrants to be prepared accordingly. C. 216, B. T. N. S. vol. 5

April 28, Whitehall. Lords of Trade to Admiralty. Send heads of inquiry relating to the fishery and trade of Canso, &c. B. T. N. S. vol. 33, p. 200

(These are the same *mutatis mutandis* as were sent for Captain Weller on 19th May, 1726, p. 144).

May 20, Whitehall. Popple to Philipps. Points out ambiguities in the oath taken by the French inhabitants and how these could have been avoided.
B. T. N. S. vol. 33, p. 214

ay 20, hitehall. Lords of Trade to the same. Congratulate him on his success with the fishery at Canso, and on the French inhabitants at Annapolis having

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taken the oath voluntarily, but wish it had been in more explicit terms. Send instructions about settling Palatines, which are to be followed when they differ from those previously sent. Young Hintze has gone to the Palatinate, where there are families willing to settle in Nova Scotia on the conditions mentioned in the instructions, which shall also be a guide for the settling French or other Protestants. The request for the issue of £2,000 in paper cannot be complied with, having proved in many Provinces to be of pernicious consequence. Dunbar's commission, attached to his, shows that he is not a governor but a superintendent of settlers. Owing to the distance of Newfoundland from Nova Scotia, Captain Osborn, R.N., is appointed Governor, with power to nominate justices to prevent the many outrages and murders committed during winter. The French inhabitants who have taken the oaths must esteem it a mark of His Majesty's goodness, that they have not long since been obliged to quit their settlements according to the terms of the treaty of Utrecht. 202

(A copy of the instructions to Dunbar at p. 207 is a duplicate of that at p. 190).

May 20, Whitehall. Lords of Trade to Philipps (extract). Refer him to instructions respecting grants of land. (See 10th December, Lords of Trade to Secretary of State).

May 20, Whitehall. Same to Same. Transmit the new seal for Nova Scotia, with warrant for using it. B. T. N. S. vol. 33, p. 201

May 27, Whitehall. Same to Colonel Williamson, Lieut.-Governor of the Tower. On his recommendation young Hintze had been appointed to succeed his father and the money granted to the latter was paid to him. Instead of going on the service, he has privately remained in town. Desire information on the subject. 216

July 11. Hintze to Lords of Trade. Reports his proceedings towards settling German families in Nova Scotia. C. 217, B. T. N. S. vol. 5

July 11, Whitehall. Lords of Trade to Hintze. Regret that he has made so small a progress in the affairs committed to his charge. However such Protestant families as shall be disposed to settle in Nova Scotia shall have lands assigned to them on the terms mentioned. B. T. N. S. vol. 33, p. 217

July 26, Rotterdam. Hintze to Lords of Trade. Defends the course he had been obliged to take to obtain German settlers. C. 218, B. T. N. S. vol. 5

August 8, Rotterdam. Same to the same. Asks that the Secretary (Popple) may certify the validity of his instructions and allow him a credit of £30. C. 219

(The letters of Hintze from Rotterdam are marked N.S. (New Style) which was adopted in the Netherlands in 1583, but not in Great Britain till 1752).

August 11, Whitehall. Lords of Trade to Hintze. The substance of the instructions to Philipps and Dunbar, respecting the settlement of foreign Protestants, had been communicated to Lascelles sent for that purpose on behalf of Gascoyn. Are surprised at his request for £30, after being paid £120, the sum estimated by his father as sufficient. B. T. N. S. vol. 33, p. 218

September 2, Canso. Philipps to Secretary of State (Newcastle). Recapitulates the contents of letter of 3rd January. Has now to congratulate His Grace on the entire submission of the French inhabitants on the Bay of Fundy. Had anticipated the greatest obstruction from the Indians, but had succeeded in obtaining their cheerful submission. Peace is thus established so long as the union between the two Crowns continues, but its safety depends on that, as the country is incapable of defence and Canso, the rival of Cape Breton, is sure to be first attacked, after a march of only five or six hours. The revenue from the fishery at Canso to the Custom-house is £30,000 to £40,000, and one third of a year's income would put the place out of danger, whilst it would cost ten times that to recover it.

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Arrival of one of Dunbar's deputy surveyors; the difficulties of surveying; how he proposes to manage. Asks for answer to the proposal for a French Protestant settlement in Nova Scotia. Requests instructions how to deal with the new subjects (the French) in respect to government, taxes, lands, &c. The chief claimant under the old French grants is a woman, widow of two subaltern officers, who obtained a transfer and now seeks compensation. A small addition to her pension as an officer's widow, would, he believes, settle the matter. The conduct of one Maujean, who fled from Canada for murder; the ill feeling of the inhabitants to him; he has been taken to England by Armstrong. Sends account of the fishing at Canso for this season. A. & W. I. vol. 30, p. 11

(Duplicate follows p. 16).

Enclosed. Copy. Arrêt du Conseil d'Etat du Roy, concernant les concessions faites des Terres de la Province de l'Acadie dans la Nouvelle France. 21

(A duplicate is at page 24).

List of vessels cleared out at the port of Canso, 7th September, 1730. 22

Memorial by René Charles de Breslay, missionary priest, to Philipps, complaining of Armstrong's conduct towards him, dated 23rd December, 1729. 25

September 2, Canso. Philipps to Lords of Trade. Substantially as the letter to Newcastle with variations. C. 226, B. T. N. S. vol. 5

The enclosures C. 227, C. 228 are duplicates of those in letter to Newcastle.

Oath of fidelity subscribed by French inhabitants. C. 229

September 10, Portsmouth. Marwood to Popple. Encloses letter from his son-in-law, Thomas Wells, with information respecting Dunbar's settlement. D. 6, B. T. N. S. vol. 6

Enclosed. Letter from Wells. D. 7

Draught of the town of Pemaquid (a diagram). D. 8

The same (a coloured sketch map). D. 9

September 25. Hintze to Lords of Trade. Explains why he required £30 additional. Has engaged 450 families to go next March to settle in Nova Scotia. The advantage of so many Protestants going at once and the great expense he has incurred. Begs that if any of these families go to New York or Pennsylvania, the forty shillings a head may be exacted which will deter the governors from attempting to induce them to go there. C. 225, B. T. N. S. vol. 5

October 7, Whitehall. Lords of Trade to Hintze. The sum of £120 having been paid him, no recommendation can be made to the Treasury for a further sum, until certificates shall be received that considerable numbers of foreign Protestants have been induced by him to settle in Nova Scotia. B. T. N. S. vol. 33, p. 220

October 7, Boston. Colonel David Dunbar to his brother John Dunbar. Captain Woodside, commanding the fort on Saco river had been ordered by the Lieut.-Governor to repair to his post with four Boston members as a committee to examine the fortifications. This is stated to be only a pretext to take Frederick's fort. What is he (Dunbar) to do? The Lords of Trade have ordered him to avoid disputes with these people and say nothing of any part of that country being under this government. If settled at Penobscot or beyond it, he is ordered to apply to governor Philipps, as being under his government, as are all the lands as far as Kennebeck. Belcher and this people claim all as far as St. Croys (St. Croix). Does not know what to do as he has no power or commission to make resistance, and these people know his orders not to dispute with them, which they attribute to fear on the part of the Ministry. Is strongly inclined to go immediately to Fort Frederick, whether he must either

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be insulted or come to blows with a people as ripe for rebellion as were their ancestors in '41. Only requires authority without assistance but from the new settlers to defend himself against Captain General Belcher and all his force. This letter to be communicated to the Secretary of State. A. & W. I. vol. 29, p. 170

vember 6, ndon. W. Adair to Popple. Applying on behalf of Philipps, for reimbursement for the purchase of a small vessel for government service in Nova Scotia. C. 230, B. T. N. S. vol. 5

vember 17, ederick's rt. Dunbar to Lords of Trade. Had arrived here from Boston on the 30th. Had sent to his brother, for the Lords of Trade, an account of passages between himself and the Governor touching the proclamation for the preservation of the King's woods; an act for registering saw-mills and owners thrown out after passing the committee. Refers to former letters relating to proprietors of lands in Kennebeck not waiting for a decision of their claims; they had cut down mast trees and are building a blockhouse. The judge of Admiralty in Boston concerned in saw-mills; impossibility of obtaining proper judgment owing to this. Has hired a sloop to visit the rivers. The attempts by New Englanders to discredit his settlement, and stir up the Indians against it; these latter love the English but hate the New Englanders, and deny the validity of their pretended purchase of Indian lands. Sends correspondence between him and Taylor, Lieut.-Governor of Massachusetts. Visits of Indians on divers matters. Complaints by masters of vessels of ill treatment at Annapolis. The great influence of the French in Canada and Cape Breton over the Indians; its dangers. Has received no answer from Philipps to a request for assistance, the settlers are, therefore, discouraged; has given each ten acres to encourage them. The Irish settlers impatient for their grants. Tappan, an Independent preacher, claims 400,000 acres; he goes to England to join in Waldo's solicitation. Ill-founded claims to land. Applies for repayment for presents to the Indians, for building a fort, &c. Objects to the rule by Philipps as to the settlements to be made at a distance of 200 yards from the coast. Sends copy of documents, conference with the Indians, etc. Copies of papers mentioned in the letter are included under the same mark.
D. 1, B. T. N. S. vol. 6

ovember 24, Whitehall. Lords of Trade to Secretary at War. For 40 men of Philipps's regiment to attend Dunbar in the execution of his duty as Surveyor-General of woods. B. T. N. S. vol. 33, p. 221

ovember 26, nnapolis oyal. Philipps to Popple. Defends the grammatical construction of the oath in French, taken by the French inhabitants of Annapolis River.
D. 17, B. T. N. S. vol. 6

ovember 26, nnapolis oyal. Same to Lords of Trade. First part duplicate of letter of 2nd September (C. 226, vol. 5). Has received additional instructions for settling the Province. Had received a letter from Hintze, which had been opened and handed about in Boston. The Palatine families mentioned in it have not yet arrived; they will come at a bad time; is sorry for the hardships they may meet with. If they do not arrive till Spring they shall then be taken care of. Shall obey the orders not to interfere with Dunbar's proposed settlements. The intrigues of Boston against Nova Scotia; 50 of the wealthiest families intending to go to Nova Scotia have been induced to go to Carolina; others are begging about Boston. His indisposition prevents him from sending the additional names of those who signed the submission; only five or six scattering families are wanting to complete the submission of the whole Province. Respecting the grammatical construction of the oath (see same date to Popple D. 17). Seal of the Province received to the satisfaction of the inhabitants. Shall answer the queries by next opportunity. D. 18

1730.

Correspondence with Dunbar respecting settlements mentioned in letter. D. 19, D. 20

Complete list of the names of French inhabitants who have signed the oath. D. 21

Extract of grant (in French) to de la Tour and his heirs by the French king in 1703 of lands and a seigniory in Nova Scotia. D. 22

December 10, Whitehall. Lords of Trade to Secretary of State (Newcastle). Enclose representation on memorial of Bradley, Attorney General of New York. The right to the tract of land between the Kennebec and Penobscot being before the Attorney and the Solicitor General, their Lordships defer making a report until their opinion shall be received. Had written to Philipps respecting grants of land and settlements and refer to report of the 7th June, 1727, on the application of Philipps for a vessel for Government service. A. & W. I. vol. 594, fo. 95

Enclosed. Extract from letter to Philipps of 20th May, 1730, referring him to instructions on grants of land. fo. 97

1731. January 12, Boston. Dunbar to Popple. Had reported from Frederick's fort. Complains, only in common with every one else, of the New Englanders. They threaten an action and even charge him with treason for erecting a fort and hoisting the King's colours, which they prostitute at their trade houses, where they exchange rum with the Indians. The danger he encountered from ice islands, when going up to Kennebec to stop saw-mills, which were destroying valuable pine trees. Had he not made appointments of lands within ten miles of the fort, the people would have left and never been induced to return. He has made no grants nor exercised jurisdiction for want of assistance, although he had heard cases and given advice that the disputants should agree until magistrates were appointed. The ruin that would be brought on many families, his own included, should they be obliged to leave. Sends samples of hemp and flax raised near Fredericksfort from New England seed, that from Dantzick having been treacherously concealed till after the season for sowing. Wishes for funds to send for more seed and for potash makers from Russia or Poland; the great service this would be. The samples of hemp and flax not so good as might be for reasons given, but is assured that the hemp here will be finer than the European. Dispute with the contractor for masts, &c., at Casco. How the land is held there; his proposals to the owners satisfactory to them. Their opinion of the grants from Andros, which they regard as instruments of extortion, as they hold old titles from Gorges and Indian deeds. The large amount of arrears still due for quit rents; the land spoken of is in the county of York, on which only one line of towns is built, leaving millions waste. The cost of Indian hostilities, which might have been prevented by gentle usage and some small presents yearly. Sends copy of letter from a Jesuit, by whose influence he hopes to secure the friendship of the Indians. Acknowledges receipt of dispatches, one forwarded to Belcher, whose answer is enclosed; he (Belcher) treats him very ill, calling him a spy. In consequence of this abuse, Captain Prothero, taken from him (Dunbar) was like to have been mobbed in the street. Complains that bills drawn for his salary are returned protested. The unpopularity of Belcher; the people talk of addressing the King against him. His chief favourite is Dr. Cook, the famous incendiary, who is hated. Death of Lieut.-Governor Wentworth of New Hampshire. Appointments by Belcher. Complains of the misrepresentations of Auchmuty, the Advocate General, to please Governor Belcher. The plots forming against him (Dunbar). D. 12, B. T. N. S. vol. 6

Enclosed. Answer from Belcher mentioned in letter. There is no danger of him (Dunbar) being mobbed; should any threats of this be made, he shall be protected, &c. D. 13

1731.

Letter (Latin and French) from the Jesuit spoken of in Dunbar's letter. D. 14

Other papers relating to the dispute about boundaries, including two letters and a notice in the Boston *Gazette*. D. 15

ruary 9, itehall. Lords of Trade to the King. Asks that an alteration may be made in the instructions to Philipps and Dunbar, in respect to the reserves from settlement of 200,000 acres of woodland until these lands had been laid out. The delay that would arise would have a prejudicial effect on the settlement of the country. If the recommendation be approved of, they shall prepare instructions. B. T. N. S. vol. 33, p. 224

ruary 11, itehall. Same to Dunbar. Dispatches received; the delay in answering has arisen from the dispute relating to the claim of Massachusetts and proprietors to lands in that part of Nova Scotia where he is; these have been referred to the Attorney and Solicitor General. He is at liberty to lay out lands between the Penobscot and St. Croix, but not between Kennebec and Penobscot till the King's title be fully determined. The settlements at Pemaquid are not to be disturbed till the King's further pleasure be known. All settlements at or near Annapolis or Canso or any where North Eastward of St. Croix are left to the discretion of Philipps. In laying out another 100,000 acres between the Penobscot and St. Croix, he is not confined to any particular place, he may take different parcels, but not to encroach on private property. Their Lordships have represented to the King the detriment that would arise were proposing settlements obliged to wait till the 300,000 acres reserved were laid out. Philipps directed to affix the great seal of Nova Scotia to allotments set out by him (Dunbar) to the Westward of the St. Croix, so that the titles shall be indisputable. To report on Waldo's claims to lands between the Kennebec and Penobscot. Letters respecting the difficulty of obtaining adjudication in the Admiralty Courts in New England have been sent to the Admiralty so as to obtain redress. The difficulty of obtaining repayment of the money he has expended in a case for which no funds have been provided. Respecting the application, &c., of fines. Trust that the state of his health may induce him to give up the idea of resigning. Remarks on the manner in which suits have been brought for the punishment of those cutting timber illegally. 227

larch 10, t. James's. Order in Council dismissing Armstrong's petition for an allowance whilst acting as Governor during the absence of Philipps. D. 10. B. T. N. S. vol. 6

larch 30, Whitehall. Order in Council that instructions are to be prepared for the manner of settling the lands in Nova Scotia. D. 5

larch 30, Whitehall. Lords of Trade to Admiralty. Send heads of inquiry prepared for Captains Clinton and Waterhouse, in respect to fisheries at Newfoundland and Canso. B. T. N. S. vol. 33, p. 237

The "heads" follow. 238

(Whilst generally the same as those prepared on the 19th of May, 1729 (p. 144), there are yet essential differences, besides errors of copying, in the 1729 "heads."

"Scheme" or form of return. 246

April 22, Whitehall. Lords of Trade to Privy Council. Transmit draught of additional instructions about granting lands in Nova Scotia. 247

The instructions changed in accordance with representations from Philipps and Dunbar.

Those to Philipps. 248

Those to Dunbar. (See letter to Dunbar of 11th February). 251

May 11, St. James's. Order in Council approving of proposed instructions to Philipps, which are to be prepared for transmission. D. 11. B. T. N. S. vol. 6

1731.
June 4, Frederick's Fort. Dunbar to Popple. Long statement about dispute relating to land in the new settlements at Fredericksfort. How he has been laying out the land, naming the townships, rivers, &c. States circumstances connected with claims to land as an answer to Waldo's charge that he has been dispossessing proprietors, &c. Sends a list of iron forges and splitting mills in Massachusetts. D. 16

July 27, Annapolis Royal. Philipps to Secretary of State (Newcastle). Had received orders to return to London, which he would obey. It is necessary to have many papers of Council, orders, &c., transcribed, to protect himself against charges that he knows will be raked up against him by Armstrong. A. & W. I. vol. 30, p. 28

September 27, Annapolis Royal. Representation by Mascarene and other Councillors against the appointment of Major Cosby to be President of the Council (see also Armstrong, D. 27). D. 29. B. T. N. S. vol. 6

October 5, Annapolis Royal. Armstrong to Lords of Trade. His return; has taken command in the absence of Philipps. His troubles on account of the perfidious character of the French inhabitants. Complaints of the members of Council that Major Cosby has been appointed president, in derogation of the rights of senior members; is afraid that as a consequence, he may not have a Council. Has received dispatches respecting trials, &c. Calls attention to the injurious effects of delay in settling the Province. Asks instructions as to the rights claimed by the French inhabitants to land abandoned since the conquest, as well as other waste lands, for which they invoke the terms of the treaty of Utrecht. If the claim is allowed, there will be no lands left for Protestants. Asks that the estates of the French inhabitants be surveyed, otherwise no proper plan of the country can be prepared and sent. They are very ungovernable; the appointment of an Assembly might lead them to be more obedient. Petitions for land; juggling on the part of the seigniors; rents remitted to France. Clandestine trade with Cape Breton. Improvement in the fishery at Canso. D. 27

(D. 30 is a duplicate).

October 13, Annapolis Royal. Minutes of Council respecting survey of lands, the order to have this done and the answer of the French inhabitants that they are too poor to meet the expense of the survey ordered. D. 31

December 19. Captain Fytch to Popple. Answer to queries as to fishery at Canso. D. 47

December 31, Ship "Winchelsea." Captain Waterhous to Popple. Sends answers to queries about the fishery, which is worse, owing to the loss of six schooners, the bad Spring and merchant vessels not arriving in sufficient number to carry off the fish; so that 6,000 quintals of merchantable fish were carried to New England, besides a larger quantity of refuse than usual, the export being thus reduced. The want of fortifications discourages people from settling there on account of fear of the Indians, &c. D. 48

Enclosed. The answers, with the queries attached, which are the same as those in Fytch's letter marked D. 47. D. 49

1732.
January 10. Copy of grant by Philipps of land in Nova Scotia to Joseph Watson & Co., dated 24th September, 1729, laid before the Lords of Trade on the date in margin. D. 28

January 24, London. Philipps to Lords of Trade. Sends his Secretary with answers to queries. The answers sent have the title: "An account of the Situation, Com-" merce &c., of the Province of Nova Scotia in America, in answer to " several Queries proposed by the Lords Commissioners for Trade and " Plantations." The document covers five folio pages, the answers being opposite the questions. D. 25

February 8. Complaint by Matthew Maugor and other masters of vessels fishing at Canso, that the French from Gaspé and Cape Breton are carrying on

1732. clandestine trade there, to the detriment of the regular traders. (Undated; laid before the Lords of Trade on the date in margin). D. 24

ril 22, itehall. Lords of Trade to Admiralty. Send heads of enquiry respecting the fisheries. B. T. N. S. vol. 33, p. 254

(The "heads" are the same as those sent on the 30th March, 1731, p. 238 of vol. 33).

ne 10, napolis yal. Armstrong to Lords of Trade. In consequence of the want of a quorum of Council, had appointed Lieut. Otho Hamilton; hopes his choice of a military man will be excused. Cosby has withdrawn without notice to him, in terms of a letter (enclosed) to Shirreff. Has therefore suspended him till the King's pleasure be known. His and Winnett's factious conduct. Cosby declines to act in any capacity under his (Armstrong's) command. On the military point had written to the Secretary at War. Sends report from the Council respecting trade, &c., as required by their Lordships. The necessity of having an Assembly to pass laws that can be enforced. A lawless French settlement established on the St. John river, on the north side of the Bay of Fundy. Asks for instructions how to deal with French encroachments. Account of the heirs of de la Tour. One, Alexander, has married an Indian, and has been stirring up the tribes to create disturbances. Other persons are laying claim to seigniories. D. 32, B. T. N. S. vol. 6

Enclosed. Petition of John Adams of the Council of Nova Scotia. D. 33

Report by Council on the conduct observed by Armstrong to Cosby, and by Cosby to Armstrong. Attached is Cosby's letter to Shirreff that he withdraws from the Council. D. 34

Report of Council on the laws, &c., that do or may affect the trade and navigation of Great Britain, in answer to the Lords of Trade. D. 35

Correspondence with French priests referred to in Armstrong's letter. D. 36

Declaration of René Le Blanc respecting the trade on the St. John River. D. 37

Papers relating to the concessions to Denonville, with petition of the heirs for the enjoyment of the seigniory. D. 38

ly 20, hitehall. Lords of Trade to Philipps. For the original pass of Subercasse; orders and commissions to M. Grand Fountaine, enclosed in letter from Peter Melanson to Doucett, of 17th November, 1719, and the commission which the French King gave to Widow Campbell's grandfather (de la Tour). B. T. N. S. vol. 33, p. 261

ly 25, hitehall. Order in Council, referring to the Lords of Trade petition of John Hart, for a grant of land in Nova Scotia. The petition accompanies the reference. D. 25, B. T. N. S. vol. 6

Report by Philipps on Hart's petition follows. D. 26

ly 26, ndon. Philipps to Lords of Trade. Cannot recollect seeing the originals of documents asked for. E. 10, B. T. N. S. vol. 7

ugust 23, hitehall. Lords of Trade to Philipps. Send copy of Col. Hart's petition for land in Nova Scotia for his opinion on the following questions: 1. Whether the tract of land petitioned for by Hart is at present inhabited? 2. Whether a settlement there would be of service to the Province? 3. Whether it be for the King's service to grant it in the manner required? B. T. N. S. vol. 33, p. 255

The answer follows D. 26, B. T. N. S. vol. 6. See above.

ugust 25, ederick's rt. Dunbar to Popple (?) Had written on the 9th of July. Belcher's arrival subsequently and interviews with the Indians at George's River and Casco Bay; about 130 Indians from Penobscot called at Fredericksfort on the way coming and going; had entertained them but they expected presents. Belcher had told them that he (Dunbar) would soon be ordered

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away, but in spite of their presents believes he has more influence with the Indians than the Massachusetts people. Is disappointed that he has heard of no settlement of the disputes between him and Belcher. Sufferings of New Hampshire; an agent sent from there to London. The men promised by Philipps not yet arrived; probably countermanded on a report that six French men-of-war were at Cape Breton, full of Jews to settle St. John Island, who will be supplied and maintained by the French inhabitants of Bay of Fundy if that and French encroachments are not prevented. The dangerous consequences of a commission issued by Bournchois (Beauharnois), Governor of Quebec, to the Indians; of the settlement of Frenchmen from Canada at Penobscot and of the claims of the French inhabitants of Nova Scotia to all the lands in that Province in terms of the treaty of Utrecht; they increase so much that no lands will be left for others. Necessity to have a vessel, with soldiers, and to be provided with presents for the Indians. The loggers, by the encouragement of the vice-Admiralty Judge, treat his regulations about the woods with scorn; refers to previous letters on this subject. How the law is worded; charges the judge with being largely interested in saw-mills with Dr. Cook. It is of no use to complain when he can get no answers, but he recommends that no person concerned in masting shall be interested in mills, nor should any so interested be placed in authority. Respecting the proposed manufacture of hats in New England. Complaints against some of the judges and others. Is uneasy at receiving no letters, as Waldo and his friends report against the settlement at Fredericksfort, which terrifies the settlers. His want of necessaries, paper included. E. 29, B. T. N. S. vol. 7

August 31, Whitehall. Lords of Trade to Privy Council. Report on Hart's petition for the grant of the peninsula in the Bay of Fundy Eastward from Holt Island to the River Chignecto, estimated to be 15 leagues in length, with an average breadth of a league and a half. He proposes that five years from the date of the grant he would transport and settle 100 Protestants and another 100 within 10 years from the same date. Their Lordships find that the Peninsula is entirely uninhabited and is the usual rendezvous for the Eastern and Western Indians, where they consult to do mischief; that, therefore, a settlement there would be of great use to the Province and their Lordships believe it would be for His Majesty's service to make the grant upon conditions stated. B. T. N. S. vol. 33, p. 256

October 19, Whitehall. Same to Secretary at War. Transmit petition from John Adams, a reduced officer, and recommend that something should be done for the poor man. 262

November 2, Whitehall. Same to Armstrong. That in the case of dispute between him and Cosby as to the Presidency of the Council, the rule that must always be acted on is, that the senior councillor shall be President and take the government in the absence of the Governor and Lieut.-Governor. Instructions have been sent respecting grants of land; the claims of the seigniors, as stated by themselves, to be transmitted; otherwise they cannot be laid before the Attorney and Solicitor General for their opinion. As to appointing a justice of peace among the French inhabitants, no one can have that office who has not taken the oath of allegiance. Cannot fix any table of fees on grants of land. To watch that there are not more French missionaries than are necessary for the service and to repeat the orders to the French inhabitants on the River St. John to retire from the Province as not entitled to the benefits of the treaty of Utrecht. 263

November 2, Whitehall. Instructions to Philipps, that the eldest councillor is always to act as president in absence of the Governor. (Attached to memorial by Mascarene, enclosed in his dispatch of 14th October, 1742, which see.)

1732.
ovember 4, ndon. Fytche to Lords of Trade. Sends scheme of the whale fishery at Canso for 1732. D. 39, B. T. N. S. vol. 6

Scheme of the whale fishery. D. 40

The same of the other fishery. D. 41

ovember 15, nnapolis oyal. Armstrong to Secretary of State (Newcastle.) Had received dispatch relative to piratical attacks by vessels fitted out in the Spanish West Indies. In obedience to orders from the Lords of Trade had sent report on laws, manufactures, or trade in the Province, which might obstruct the trade and navigation of Great Britain. The inhabitants being all French and Roman Catholic are more subject to Quebec and Cape Breton than to His Majesty, whose Government they seem to despise, being governed by their most insolent priests; hopes to receive directions as to the measures to be taken to curb their insolence. Had ordered the erection of a house at Minas, in which he would place a company for the better government of the remote settlements in the Bay of Fundy. The Indians are engaged in the same spirit, alleging that although Annapolis was conquered Minas was not, and on this pretext have been robbing and destroying property encouraged by Governor St. Ovide. The defenceless state of the Province which the French hope to regain. Louisbourg strongly fortified; the French carrying on fishing at Gaspé, to which more ships resort than to Louisbourg and vigorously carrying on the settlement of the Island of St. John. The want of legislative and judicial power. Has proposed to have an Assembly, partly composed of the French themselves, so as, if possible, to bring them to obedience to their own acts. Sends list of land patents granted since his arrival. A. & W. I. vol. 30, p. 29

Enclosed. St. Ovide to Armstrong (in French), dated 19th September, 1732, introducing two priests, sent as missionaries by the Bishop of Quebec. 32

Bishop of Quebec to the same (in French.) Thanks for his goodness to the missionaries; is leaving for Paris, and will, if he (Armstrong) approve, visit him on his return and give the rite of confirmation to the French inhabitants. 34

ovember 15, nnapolis oyal. Armstrong to Lords of Trade. Recapitulates the contents of previous letters. In obedience to orders sends minutes of Council and abridgement of the "buttings and boundings" of all the patents granted since his arrival, the only one of consequence being the Coalliary (colliery.) The caution he observed about the latter; sends copy of advertisement. The French continue as disobedient as ever, both in respect to private and public affairs. Winnet dangerous in the Council on account of his relations with the French. Asks directions as to the passage of laws and how they are to be enforced. The behaviour of Cosby has defeated his design to visit the different parts of the Province; asks that the dispute be settled and Cosby's father-in-law, Winnett, be suspended from the Council for reasons given. Indians stirred up by St. Ovide; they have plundered the house of the proprietor of the colliery, &c. The great danger should a rupture take place. Sends copies of letters from the Bishop and Governor of Quebec, brought by two priests. D. 59, B. T. N. S. vol. 6

Enclosed. Copies of orders on various subjects relating to the government of the Province, mentioned in Armstrong's letter. D. 60

Letters to sundry people from Armstrong, reports of committees of Council, &c. D. 61

Minutes of Council from 19th July, 1731, to 11th September, 1732. D. 62

Abstract of patents. D. 63

Belcher to Armstrong. Shall call the attention of the Assembly (of Massachusetts) to Armstrong's proposal of carrying on a trade with the Indians on the St. John River, but fears that unless the Crown build a

1732.

fort the proposal may fail. Nothing would so tend to the tranquillity of the King's Government in Nova Scotia as such a fort. Massachusetts may perhaps send a sloop with goods to the Indians in the Spring and Fall. D. 64

Letters from the Bishop and Governor of Quebec recommending M. St. Poncy, priest for Port Royal, the other, not named, is to join Father Gourdaly, who, he regrets to find, has not conformed to the instructions given him as stated in Armstrong's letter. D. 65

(The enclosures may be compared with those in the letter to Newcastle of the same date.)

Representation by Philipps of the bad condition of Canso and asking that a proper person may be sent to survey and report thereon. (There is no date, but it is evidently about the 20th of November.) A. & W. I. vol. 30, p. 35

November 22, Annapolis Royal. Armstrong to Lords of Trade. In consequence of complaints of the bad state of the barracks at Canso, has ordered a survey. Sends order and the report, which confirm these complaints and asks that the necessary repairs be ordered. D. 66, B. T. N. S. vol. 6

November 22, Annapolis Royal. Same to Secretary of State (Newcastle). On the same subject. A. & W. I. vol. 30, p. 36

Enclosed. Order for survey, 20th November. 37

Report of Survey, 21st November. 38

December 19, Sheerness. Fytche to Popple. Sends answers to heads of inquiry respecting the fisheries. D. 46, B. T. N. S. vol. 6

Enclosed. The answers; the queries on one side and the answers opposite. 47

December 19, Sheerness. Fytche to Popple. Sends papers from the principal inhabitants at Canso respecting the obstructions they meet with in their office of justice of the peace. D. 42

Enclosed. The papers mentioned. D. 43 to D. 45

December 21, St. James's. Report of Council, reciting petition from John Hart, that part of the peninsula from Holt Island to Chignecto be laid out for him, namely, from and including Holt Island to the main land, to a distance of about twelve leagues and an average depth of a league and a half, bounded North, South and West by the Bay of Fundy and that the governor of Nova Scotia be directed to make Hart a grant of the same. Ordered that the survey be made of the land asked for. E. 1, B. T. N. S. vol. 7

A second minute of the same date is a transcript of the first with conditions, &c., added. The first (E1), is apparently only an abreviated copy, the names of the members present not being given, nor the conditions on which Hart is to obtain the grant. Both are certified as true copies. E. 2

1733.

April 2. Petition and memorial (in French, undated) of Dame Agathe de la Tour, describing herself as the widow of Bradstreet and Campbell and signing "Agathe Campbel," praying for restitution of the properties held by herself and fathers for nearly a century, or to indemnify her in such manner as the King shall think fit. D. 51, B. T. N. S. vol. 6

Enclosed. Other papers relating to the claim. D. 52 to D. 58

(Laid before the Lords of Trade on the date in the margin).

April 9, Sheerness. Fytche to Lords of Trade. Asks for answer to memorial of the justices and inhabitants of Canso, to be communicated on his return to that station. D. 50, B. T. N. S. vol. 6

April 13, Whitehall. Lords of Trade to Fytche. Philipps has orders to write to the commanding officer at Canso, to take care that the fishery there is not interrupted. B. T. N. S. vol. 33, p. 268

April 19, Whitehall. Same to Admiralty. Send heads of inquiry. 269

(The same as those of 30th March, 1731).

Lords of Trade to Philipps. Send petition of Mrs. de la Tour, relative to her claims in Nova Scotia and desire him to meet her complaints against him. B. T. N. S. vol. 33, p. 270

Armstrong to Lords of Trade. Has received dispatch with instructions, which he and the Council will observe. Has, according to orders, recalled the troops sent to Pemaquid to protect Dunbar's settlements, which he is informed, are likely to be abandoned. Recapitulates the contents of letter of 15th November last, on which he asks instructions. Shall watch the motions of his neighbours and prevent the multiplication of priests. Is afraid that without sufficient force he shall be unable to have his orders to the new inhabitants of St. John River obeyed, but a force may rouse the jealousy of the Indians, the cat's paws of the French, and cause a rupture with them, as had been the case in regard to his building at Minas. D. 67, B. T. N. S. vol. 6

Minute of Council (Massachusetts), on a letter from Dunbar, that he had evacuated Fort Frederick at Pemaquid and sent the garrison back to Annapolis Royal; unless an officer and men are sent the fort will be destroyed by the Indians. The proposal to send this force was negatived by the Council. Dunbar's letter accompanies the minute.
E. 31, E. 32, B. T. N. S. vol. 7

Armstrong to Secretary of State (Newcastle). Arrival of a ship with arms, ammunition, clothing, &c. Calls attention to the necessity for works of defence at Canso; the French are fortifying the Island of St. John and also St. Peter, about six or seven leagues from Canso. Had already reported the French fishery at Gaspé; ships of war ought to visit the different posts to ascertain the force there, &c. The encouragement given by the arrival of the Ordnance ship. The state of the fishing at Canso, to which vessels from Connecticut and New England resort after catching the fish at sea. The importance of this trade a reason for fortifying the post, so as to disappoint the views of the Cape Breton or other French government. The Indians becoming uneasy owing to the want of presents and the French are improving the opportunity to stir them up, sending them annual presents, &c. Were Great Britain to do the same it would secure the Indians in her interest; other means that might be employed to this end. Hostile designs of the Indians.
A. & W. I. vol. 30, p. 39

Lords of Trade to Armstrong. Dispatches received and will be answered shortly. Thanks for his information; commend him for his conduct with respect to the French, to their priests and to the Indians.
B. T. N. S. vol. 33, p. 271

Same to Privy Council. Report on the claims of Dame Agathe de la Tour, widow Campbell. The report gives an abstract of Mrs. Campbell's statement of how her grandfather became possessed of the lands claimed, ignoring the sale from Lord Stirling, the acts of Cromwell, &c. Their Lordships then give an account of the grant to Alexander, the transfer to de la Tour, and the subsequent grants by Charles I. and Cromwell, &c., down to the treaty of Utrecht. They report that the petitioner should be paid a valuable consideration for the quit rents and for the extinguishment of her claim to any other part of Nova Scotia than what she actually possessed, and that measures be taken to enforce payment of the arrears of rents or quit rents due to her by the inhabitants of Minas or others. 273

(For the petition and other papers, see 2nd April, 1733; they are marked D. 51 to D. 58 in B. T. N. S. vol. 6).

Armstrong to Lords of Trade. On the same subjects and substantially the same letter as that to Newcastle, of 9th October.
E. 11, B. T. N. S. vol. 7

1733.
November 10, Annapolis Royal. Armstrong to Lords of Trade. Transmits papers relating to the claim of Le Borgne as one of the seigniors of Nova Scotia. E. 12

Enclosed. The papers mentioned, which include concessions by the King of France, petitions, &c. E. 13

November 20, Annapolis Royal. Armstrong to Lords of Trade. Sends plan of Annapolis River. Sends also surveyor's letter and orders for survey; hopes the surveyor's travelling charges will be paid on account of the great expense he is at, the nature of which is stated. The difficulties interposed by the French. Shall next Spring employ the surveyor to make out a plan of the woods and lands on the Bay of Fundy and continue him in the survey of other parts of the province. E. 14

December 14, Sheerness. Fytche to Popple. Sends "Scheme" of the fishery at Canso for 1723. It gives the number and burden of the vessels, number of the crews, &c. E. 6

December 20, St. James's. Order in Council respecting the petition of Mrs. Campbell for payment of arrears of quit rent on the de la Tour property; she is to be paid and her rights purchased. E. 7

Another copy (E. 8), the same to the third page; E. 7 appears to be complete. There are variations in the documents, although both are certified as true copies, so that both should be taken.

1734.
February 13, Treasury. Treasury (Scrope) to Popple. Sends the papers to Lords of Trade for a specific statement of the sum that may reasonably be paid to Mrs. Campbell for the purchase of her rights on the Latour estates, otherwise the Treasury can take no further proceedings. E. 3

Answer by Mrs. Campbell to letter from Philipps. E. 5

The letter from Philipps is not among the papers.

February 22, Whitehall. Lords of Trade to Francis Fane. Send papers respecting the claims of Dame Agathe de la Tour, widow Campbell, to consider what would be a reasonable sum for the purchase of quit rents and the extinguishment of a claim of seigniory in Nova Scotia. B. T. N. S. vol. 33, p. 293

March 22, Whitehall. The list of papers follows.

Lords of Trade to Treasury. Cannot vary the terms of the report on the claims of widow Campbell, the reconsideration of which was desired. Their Lordships have consulted Fane, a King's Counsel, who points out that the proper course of transfer would be by bargain and sale, enrolled in a Court of Record. Their Lordships recommend the payment to Mrs. Campbell of £2,000 in full and as, from her state of health, she may die at any time, the matter should be settled at once, for if the estate devolved on the children it might take many years to complete the bargain. B. T. N. S. vol. 33, p. 293

April 23, Whitehall. Same to admiralty, with heads of enquiry. 298

(The heads are the same as before, with the necessary change of name. See also E. 22, B. T. N. S. vol. 7).

May 10, Annapolis Royal. Armstrong to Secretary of State (Newcastle). Transmits minutes, orders, &c., containing his whole proceedings since his last. The minutes will show the reason for dismissing Winnett from the Council. Refers also to minutes for report of proceedings respecting seigniorial rents. Cannot get the inhabitants to accept new titles instead of the old, in which the quit rents are a mere trifle; the rocky and barren nature of the soil on the seigniories and the more favourable conditions in the other Provinces are reasons why there are no British planters. Suggests the reduction of the rents to a peppercorn, as a great inducement to settlement. A. & W. I. vol. 30, p. 40

Enclosed. Minutes of Council. 41

Correspondence respecting the dismissal of justices of the peace. 52, 53

Other correspondence: Respecting a truck house (54); the removal of a French church (54); with the Bishop of Quebec respecting the admission of priests (56). 54 to 56

734.

Transcripts of orders issued by him (Armstrong), as Governor of Nova Scotia, since the 4th January, 173$\frac{2}{3}$, in relation to quit rents; to sheep; to Mitchell, surveyor; to the inhabitants to set up poles on their boundaries; to choose new deputies; certificate that Bellisle has taken the oath of allegiance; order to Prudan Robisheau to collect quit rents, &c.; same to John Duon, respecting rents to Madame Bellisle; Mitchell to survey Minas, the Bay of Fundy, &c. 57

List of land patents, boundaries, &c. 64

Schedule of seigniorial rents payable yearly by the inhabitants of Annapolis Royal. All the names are given. 69

0, olis Armstrong to Lords of Trade. On the same subjects as to the Secretary of State of same date. E. 15, B. T. N. S. vol. 7

(Compare E. 16 to E. 20 with those in letter to Secretary of State).

7. Philipps to Lords of Trade. Shall consider and report as soon as possible what further encouragement may be given to promote the cultivation of the land in Nova Scotia. E. 9

8, olis Armstrong to Secretary of State (Newcastle). Sends representation of the state of the Province. Reminds His Grace of the difference with Major Cosby in relation to the command, by which the performance of his (Armstrong's) duty is impeded. Papers enclosed will show why he could not visit Canso and other parts of the Province.

A. & W. I. vol. 30, p. 82

Enclosed. Address on the marriage of H. R. H. the Princess Royal. 83

Representation on the state of the Province. 84

Notice by Major Cosby of his withdrawal from the Council. 85

Other documents on the same subject. 86

t 3. Philipps to Lords of Trade. To encourage the production in Nova-Scotia of naval stores, recommends the creation of two or three forts in proper places, with the addition of 200 or 300 men to garrison them. This may induce a new set of people to settle; the present are rather a pest than an advantage and cannot be induced to clear or cultivate the land, removing their barns when the manure increases. The Province possesses great advantages for the two chief branches, the fisheries and the consumption of British manufactures, but the land will remain uncultivated until blessed with better inhabitants, or shall be protected against the French settlements of Canada and Cape Breton, as Nova Scotia lies almost naked and defenceless. E. 21, B. T. N. S. vol. 7

ber 11, all. Lords of Trade to Armstrong. Dispatches received. Have no doubt proper measure will be taken in time in regard to the subjects he mentions. In the meanwhile desire further information of the amount of duties to be applied to the fortifying of Canso. Are sorry the Indians are uneasy for want of presents; shall recommend that they be sent. The proposal for a truck house to prevent the Indians from being imposed on by private traders should be postponed till an Assembly can be called. Had laid the question of seigniories in Nova Scotia before the Privy Council. Those who remained and took the oath of allegiance to the King of Great Britain have the right to hold what they possessed at the time of the treaty of Utrecht, but those who went to France and returned have only a right to such land as they hold from the King on payment of a quit rent. Orders as to quit rents. Letter respecting travelling allowances to the Surveyor General should have been sent to the Treasury. The dismissal of Winnett from the Council; there should be full liberty of discussion, &c., among the Councillors.

B. T. N. S. vol. 33, p. 299

ber 13, all. Same to Philipps. The Indians complain they did not receive the presents sent by his late Majesty. A statement of the distribution to be made. 305

1734.
October 2, Whitehall. Lords of Trade to Nicholas Paxton. That in the deed for the surrender of the seigniorial rights by Mrs. Campbell, it is provided that the £2,000 shall cover all arrears of quit rent, but besides that sum she was to be entitled to the quit rents from her under tenants up to the date of signing the deed. 306

October 24, Annapolis Royal. Armstrong to Secretary of State (Newcastle). Affairs in much the same state, as when he last wrote. The Indians have seldom been seen since the reports of war; the last considerable body heard of was at Cape Breton under pretense of obtaining their annual presents.
A. & W. I. vol. 30, p. 90

October 24, Annapolis Royal. Same to Lords of Trade. Substantially as in the preceding, but with variations. E. 26, B. T. N. S. vol. 7

October 28. "Some considerations relating to ye security of ye British Colonies in America" (extract). The date is endorsed. The first part relates to the West Indies; that respecting Nova Scotia begins at the bottom of page 4 of the paper. A. &. W. I. vol. 603

November 30. Philipps to Lords of Trade. A long explanation in answer to the complaints of the Indians that they did not receive the presents sent in 1720; the knavery of Bamfield, entrusted with the purchase and forwarding of them; the conduct of the Indians, &c.
E. 30, B. T. N. S. vol. 7

December 2. Same to Secretary of State (Newcastle). Transmits papers forwarded to him by the Governor of Nova Scotia. A. & W. I. vol. 30, p. 91

Enclosed. Representation of the defenceless state of Nova Scotia, numerously signed. 92

1735. Address on the marriage of the Princess of Wales. 93

January 14, Whitehall. Reprint, with additions of report to the House of Lords of the Lords of Trade, dated 23rd January, 1734, on the laws, manufactures, &c., in the Plantations in America. The extract relating to Nova Scotia begins at page 14. A. & W. I. vol. 603

(The additions relate chiefly to the West Indies and to the Southern Provinces).

January 14, Annapolis Royal. Armstrong to Lords of Trade. Dispatches received; thanks for orders. Cannot send account of Canso till he goes there. Annual presents to the Indians may prove of good account. Will do nothing further at present respecting truck houses on the St. John River. Report on Mrs. Campbell's claim received; her petition contains statements prejudicial to truth; her aunts and cousins still remain in the Province and have an equal right with her. Elaborate statement to prove that Mrs. Campbell has no just claim to the property, &c., for which she petitions. E. 28, B. T. N. S. vol. 7

Enclosed. Minute of Council approving of Armstrong's letter and recommending a grant to John Hart, as soon as the season shall permit a survey to be made. E. 27

April 24, Admiralty. Admiralty to Lords of Trade. H. M. S. "Shoreham" is under orders to proceed to Canso; ask for the usual heads of inquiry.
E. 23

May 1, Whitehall. Order in Council, referring to the Lords of Trade memorial by Coram and petition from merchants, &c., of London (the latter signed by 102 persons) for making a settlement in Nova Scotia. The memorial and petition accompany the reference. E. 24

Another memorial by Coram. E. 25

May 2, Whitehall. Lords of Trade to Admiralty, with heads of inquiry.
B. T. N. S. vol. 33, p. 307

(The heads follow, but they are the same as those sent on the 30th March, 1731, at p. 238).

1735.
June 10, Albrohatch. M. Bladen to Secretary of State (Newcastle). Transmits documents in answer to the questions "What was necessary to be done in the plantations? And where we should begin?" A. & W. I. vol. 30, p. 94

Enclosed. Reports on the subjects indicated. 95

July 4, Whitehall. Lords of Trade to Armstrong. In respect to French fishing at Gaspé refer to Captain Fytche's report on the trade and fishery of Canso for the year 1735, (an error, should be 1732, see D. 47 in B. T. N. S., vol. 6, in which are the words quoted in this letter). Are surprised that any governor at Canso should give leave to the French to fish there; not only is he not to give leave, but to use every endeavour to prevent encroachments. The steps he is to take to guard against ill cured fish being sent to foreign markets. B. T. N. S. vol. 33, p. 318

September 18, Whitehall. Same to the same. Had received minutes of Council regarding Mrs. Agatha Campbell's claims. Have had no answer as to the duties payable at Canso; to send it by the first opportunity along with the number of English inhabitants at Canso or elsewhere in the Province, and the number of effectives in the regiment. Do not approve of proposed alterations in the quitrents. The way to people the Province is to form a civil government, but that cannot be done till there is population enough to compose an Assembly. Shall lay their opinion respecting presents for the Indians before the King. 320

September 27, Annapolis Royal. Armstrong to Lords of Trade. Repeats his arguments for a blockhouse and garrison to keep the French inhabitants in subjection, this measure would also increase the revenue. E. 37, B. T. N. S. vol. 7

September 27, Annapolis Royal. Shirreff to Secretary of State (Newcastle). Explains his reasons for not countersigning a patent in favour of John Hart for Hault Island in the Bay of Fundy. A. & W. I. vol. 30, p. 99

Enclosed. Minutes of Council, 23rd September, in relation to the grant. 100

Minute of Council, 30th November, 1734, on the grant of mines to the Councillors as a recompense for their services. The names of the patentees for the mines follow. 101

Map of peninsula in Bay of Fundy. 102

November 12, Ship "Shoreham." Captain Towry to Popple. Sends state of the fishery at Canso in 1735. The answers are written opposite to the queries, the latter being the same as in previous years, followed by state of the strength, trade and fishery of Cape Breton in 1735, and by state of the cod fishery at Canso for the same year. E. 33, B. T. N. S. vol. 7

December 8, Annapolis Royal. Armstrong to Lords of Trade. Had taken a tour to the Bay of Fundy and Canso. There are no manufactures or trade; the French inhabitants, who multiply very fast, grow numerous, which feeds the spirit of rebellion, that can only be quelled by strong forts, as they look on the garrison of Annapolis with contempt and daily incite the Indians to give trouble. Only by sending over annual presents can they be kept at peace. He despairs of seeing Canso fortified; the fatal consequence of its falling into the hands of the French. E. 36

1736.
March 29. Orders, paroles, &c., by Mascarene, from 5th September, 1735, to date in margin. B. M. add. 19069, fo. 5

April 6. Proposals (undated) for the beginning of a civil government in Nova Scotia. Received by the Lords of Trade on the date in the margin. E. 34, B. T. N. S. vol. 7

(The proposals, with Coram's remarks, were also transmitted in a letter from him, dated 14th April which they follow; the same proposals as in E. 34, are transcribed on larger paper to admit of the remarks). E. 35

May 7, Whitehall. Lords of trade to Armstrong. Dispatches received; he is to send fuller information respecting the fishery at Canso. Cannot understand where the revenue would come from for the Crown by building a fort at

1736. Canso, if there is no trade there. To insist on the right of the Crown to all the land under his Government, by virtue of the treaty of Utrecht. Other points shall be reported on. B. T. N. S. vol. 33, p. 323

Admiralty to Lords of Trade. The "Shoreham" is under orders for Canso; ask for the usual queries. E. 38. B. T. N. S. vol. 7

May 14, Admiralty. Lords of Trade to Admiralty, with heads of inquiry. B. T. N. S. vol. 33, p. 325

The heads follow; they differ from those sent in previous years. 326

May 21, Whitehall. List (undated) signed by Coram of the lords and others who have consented to act as trustees for settling Nova Scotia with Protestant inhabitants. Laid before the Lords of Trade on the date in margin. E. 39. B. T. N. S. vol. 7

Petition and other documents relating to the French missionaries. E. 46

June 2. Armstrong to Lords of Trade. Dispatches received. Refers to the report of the commanding officer at Canso for details respecting the fishery there. Is trying to keep up the effectives of the regiment to the full complement. His notice published at Boston was to make known that he would be at Canso to settle the rights of traders and to grant lands to those disposed to settle there. Does not remember saying in his letter of 8th December (1735) that there was no trade at Canso. (The letter marked E. 36 in vol. 7, B. T. N. S. contains these words: "For "as we have no trade carried, nor manufactures set up, Your Lordships "from thence will be convinced, &c.") Refers to previous letters for his views as to Indians and the necessity for a fort being built at Canso. Has sworn in the Commissary of Musters as one of the Council and granted two patents for land with mines on the Bay of Fundy. E. 49. B. T. N. S. vol. 8

Enclosed. Copies of the patents mentioned. E. 50

St. Ovide to Armstrong. See enclosures in Armstrong's letter of 8th July, 1737.

Towry to Popple. Sends state of the cod fishery at Canso. The statement is part of the bundle. E. 42, B. T. N. S. Vol. 7

June 19, Annapolis Royal. Armstrong to Secretary of State (Newcastle). The brigantine "Baltimore" from Dublin to Annapolis in Maryland, with a valuable cargo, embayed at Tiboque, near Cape Sable; of the 18 on board only the captain's wife (Mrs. Buckler) and two sailors survived. The Indians robbed the vessel and carried off Mrs. Buckler, who left the two sailors with the ship; these men cannot now be found. Had sent a detachment, with letters to the chief of the Cape Sable tribe, to the inhabitants of Pobomcoys and to Governor St. Ovide. Sends the information of Mrs. Buckler and other documents. A. & W. I. vol. 30, p. 103

Enclosed. Declaration of Mrs. Susannah Buckler, containing a narrative of what happened to the "Baltimore" and her crew, giving a list of the articles stolen by the Indians. 104

Declaration of George Mitchell who brought Mrs. Buckler to Annapolis Royal. 107

Examination of Charles Doutremon giving the Indian account of their conduct in respect to the "Baltimore." 109

Minutes of Council in relation to the "Baltimore," with copies of the letters mentioned in Armstrong's of 19th June. 112

June 19, Annapolis Royal. Armstrong to Lords of Trade. On the subject of the wreck of the brigantine "Baltimore," as in letter to Newcastle of same date, but with other particulars. E. 40, B. T. N. S. vol. 7

(For enclosures, see letter to Newcastle; they are marked here E. 41).

July 1. Louisbourg. St. Ovide to Armstrong. See enclosure in letter of 8th July, 1737.

July 27, Annapolis Royal. Armstrong to St. Ovide. Respecting the conduct of the French priests. St. Ovide's answer signed Brouillan, his name being St. Ovide de Brouillan. There are two letters from St. Ovide, both signed Brouillan. E. 45, B. T. N. S. vol. 7

736.

Compare with letter of 26th July, enclosed in letter of 8th July, 1737.

er 8, bourg. Lords of Trade to Armstrong. Had received letter with account of the loss of the "Baltimore," and that all on board had perished but Mrs. Buckler, widow of the owner; further information wanted. Copy of that part of his letter respecting the insolence of the Romish priests has been sent to Newcastle. B. T. N. S. vol. 33, p. 331

Same to Secretary of State (Newcastle). Send extract from Armstrong's letter. The conduct of the French priests might prove fatal to Nova Scotia in case of a rupture with France. 333

(The extract from Armstrong's letter of 19th June is in A. & W. I., vol. 594, fo. 101, following duplicate of letter of 28th October from Lords of Trade, fo. 99).

ber 23, olis Armstrong to Lords of Trade. Refers to previous letters for the reasons why he sent away the two priests. Susannah Buckler's story of the shipwreck is very doubtful. E. 44, B. T. N. S. vol 7

(For letter of this date to Secretary of State, see enclosure in letter of 8th July, 1737).

ber 8, olis Armstrong to Secretary of State (Newcastle). Again urges that Canso should be fortified; there is a block house useful against Indians, but otherwise the place is defenceless. A. &. W. I. vol. 30, p, 121

37. ary 11, n. Coram to Lords of Trade. A second list of trustees (see 2nd June, 1736, E. 39) differing materially from the first. E. 43, B. T. N. S. vol. 7

23, hall. Lords of Trade to Secretary of State (Newcastle). Send additional letters from Armstrong respecting the conduct of the French priests to be laid before the King. B. T. N. S. vol. 33, p. 335

i. Reference for consideration and report by the Lords of Trade, of petition for land in Nova Scotia. The petition is attached to the reference. E. 47, B. T. N. S. vol. 7

20, olis Investigation by Council into the burning of Lieut. Amherst's house, alleged to have been set on fire by his bound servant, Isaac Provender, a boy between ten and eleven years of age. The evidence is given. A. & W. I. vol. 594, fo. 103

The opinion of Shirley, "a New England lawyer" on the case. 109

22, hall. Lords of Trade to Privy Council. Report on the proposal of Coram and others for settling Nova Scotia. B. T. N. S. vol. 33, p. 337

Memorial (undated) to Lords of Trade for a favourable report on a petition. Read on the date in margin. E. 48, B. T. N. S. vol. 7

1, olis Proceedings in the investigation by Council of the complaint of Stephen Jones that his vessel had been plundered by Indians at Minas. The investigation was begun on the 10th and continued by adjournments to the date in the margin. A. & W. I. vol. 594, fo. 107

Deposition of Stephen Jones. 110

olis Armstrong to Secretary of State (Newcastle). Sends document relating to the permission given to M. de Poncy, a French priest, to officiate amongst the inhabitants. Lieut. Amherst's house burned by Isaac Provender, a boy between ten and eleven years of age; is at a loss what to do in the case. Papers sent relating to the robbery of a sloop by Indians. A. & W. I. vol. 30, p. 122

Enclosed. Minute of Council respecting the burning of Lieut. Amherst's house; the evidence in the case is appended. 123

Memorial for copies of instructions, &c., sent to Philipps. 127

Armstrong to Secretary of State (Newcastle) dated 23rd November, 1736. Had stated in a previous letter his reasons for sending away the two French priests, de Poncy and Chevenaux; their conduct has justified this; is not surprised as they are supported by St. Ovide. M. Chevenaux stopped at Cape Sable to act as missionary for the Indians. St. Ovide has sent back de Poncy; the inhabitants have

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strongly petitioned that he should officiate for them this Winter, but they have not yet been answered. Of the papers enclosed, No. 1 is Ovide's first letter; No. 2 the answer; No. 3 his reply; No. 4 Sr. Poncy's declaration in Council; No. 5, the minutes of Council and No. 7 the petition of the inhabitants. These will show the pretensions of the French Government to obedience on the part of the priests and that the people are absolutely governed by their influence. It will be seen how dangerous this may become, but he does not know how to prevent it, except by getting priests independent of the Crown of France, but this would be a considerable expense, now borne by the French King for political reasons, and it is certain every missionary has a pension from that Crown. The "Baltimore" is now brought to this port. Mrs. Buckler's story and herself are strongly suspected. The "Baltimore" is reported to have sailed with a cargo of convicts, who rose and massacred the officers and crew, and it is probable the alleged Mrs. Buckler was too deeply involved to tell the truth.

A. & W. I. vol. 30, p. 128

Account of Nova Scotia entitled: "The humble representation of "Col. Armstrong, Lieut.-Governor of Your Majesty's Province of "Nova Scotia, with the Observations made by him during his service in "those parts for near twenty years." 129

St. Ovide (signed Brouillan) to Armstrong (in French) dated at Louisbourg 1st July, 1736. Has received three declarations from Mrs. Buckler, Charles Doutremont and George Mitchell, respecting attack by Indians off Cape Sable and the losses sustained by the British schooner (the "Baltimore") in consequence. The fabulous nature of the stories. It is fortunate for Mrs. Buckler that there are no survivors to give the true account. Believes the woman is only an adventuress of bad character, guilty of enormous crimes. Is it possible she alone could withstand the fatigues and misfortunes which occasioned the death of all the crew? Will do all in his power to secure what may have been taken by the Indians, although he (Armstrong) is nearer at hand to obtain news of this. Respecting the missionaries; has detained de Poncy until he knows whether he is to be sent back to France, or if he is to be allowed to return to his mission and his expressions be allowed to pass, so as to save correspondence between the two courts. Had instructed de Chevenaux in his mission among the Cape Sable Indians, to ascertain what the Indians had carried off from the brigantine and to discover the truth. 134

Armstrong to St. Ovide, dated 26th July, 1736. It was not so much for affronting himself and His Majesty's Council that he sent away the two priests, as for their affecting independence and disowning His Majesty's authority in his own dominions. Does not believe that the French Government would have been so mild in a similar case. The contagion of their example on the people. Is aware that the inhabitants are to have liberty to exercise their religion by the treaty of Utrecht, but only as far as the laws of Great Britain will allow; these provide that the King is supreme over all persons in his dominions. Suppose the woman (Buckler) to be as bad as alleged, yet it was a fact that a rich vessel had been seized and plundered by the Indians. The steps he had taken to ascertain the truth. Had reported all that had passed, to the Duke of Newcastle and the Lords of Trade; and in the meantime, or until he shall receive orders, can neither admit of the return of the two priests nor of any others tainted with such rebellious principles. 135

St. Ovide (Brouillan) to Armstrong, dated Louisbourg, 8th October, 1736 (in French). Defends the conduct of the missionaries, who are sent according to the terms of the treaty of Utrecht, to administer to the religious wants of the French inhabitants and Indians and are not sub-

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jects of the King of Great Britain, nor under his jurisdiction. Is sorry that his (St. Ovide's) obligation to carry out his duty does not agree with his (Armstrong's) resolution not to receive de Poncy, or any other priest, but he must send him back to his cure as ordered by the King of France. Trusts he will be allowed to execute his functions, as there will be no reason to complain of him, being persuaded that he will hold, and make his parishioners hold, conduct exempt from reproach and urge on the people a spirit of obedience to His Britannic Majesty. M. Chevaneux was retained last year at Annapolis by de Poncy: he now proceeds to his original destination among the Indians. 136

Letter read at Council from "St. Poncy de l'Avernede, Prêtre Missionnaire," dated 6th November, 1736, new style, endorsed as read on the 5th October. That he will present himself to assume his functions at Annapolis. 137.

Minutes of Council, 20th and 25th October, 1736, respecting de St. Poncy's letter, on which it was decided he should not be allowed to officiate. During his stay he gave his parole not to move out of the banlieu; in the meantime he is to be treated civilly and humanely. Minute of the 10th November shows the receipt of a petition from the inhabitants for the admission of de Poncy, which was ordered to lie on the table. The petition follows. 139

July 8, Annapolis Royal. Armstrong to Lords of Trade. Substantially the same information as in letter of this date to Newcastle, with the addition that the eldest councillors were to meet commissioners from the other Provinces, to settle the boundaries between Massachusetts and New Hamphire. E. 56, B. T. N. S. vol. 8

July 22, Annapolis Royal. John Adams to the same. Proposal to build a church at the lower town of Annapolis Royal. The form of subscription list is attached. E. 56 x 57

September 21, Whitehall. Lords of Trade to Secretary of State (Newcastle). For directions to Armstrong how he is to deal with the case of a boy between ten and eleven who set fire to a house in Nova Scotia. B. T. N. S. vol. 33, p. 342 (A duplicate in A. & W. I. vol. 594, fo. 112).

October 21, Ship "Shoreham". Captain Towry to Lords of Trade. Sends "account of fish made at "Canso in 1737, by whom made, with the number scooners Imployed by "each particular Person". The account follows the letter. E. 57, B. T. N. S. vol. 8

November 17, Whitehall. Lords of Trade to Adams. That his petition had been recommended to the Secretary at War as long ago as 1732. Think he must be reminded by some agent. B. T. N. S. vol. 33, p. 343

1738.

April 10. Armstrong to Lords of Trade. Transmits petition (with minute of Council thereon) of Andrew Le Mercier for a grant to himself and associates of the "Isle of Sables," for their Lordships' consideration to be laid before the King. The documents follow the letter. E. 61, B. T. N. S. vol. 8

April 30, Whitehall. Lords of Trade to Admiralty. With heads of inquiry respecting the fishery. B. T. N. S. vol. 33, p. 244

June 13, Annapolis Royal. John Adams to Secretary of State (Newcastle). Prays that his petition may be laid before the King. A. & W. I. vol. 30, p. 140

August 14, Annapolis Royal. Same to Thomas Hill. Encloses a petition to be laid before the King and asks for his influence. The petition follows, stating his services in the expeditions against Canada and Port Royal and asking for a pension. E. 58. B. T. N. S. vol. 8

October 23, London. Samuel Waldo to Lords of Trade. Asks for certain papers relating to Nova Scotia, to settle a dispute respecting lands granted in 1629 to Messrs. Leverett & Beauchamp. E. 59

1739. January 24. Captain Watson to the Lords of Trade. Sends answers concerning the fishery at Canso, with a "scheme" of the French strength, trade and fishery at Cape Breton for 1738. The papers accompany the letter. E. 60

April 24, Admiralty. Admiralty to the same. The "Deal Castle" will be ordered to proceed to Canso; ask for the usual queries. E. 62

The queries are in B. T. N. S. vol. 33, p. 246.

September 5, London. Philipps to Secretary of State (Newcastle). Calls attention to the defenceless state of Nova Scotia enclosing a representation of its condition. A. & W. I. vol. 30, p. 141

Enclosed. State of Nova Scotia. 142

September 6, Admiralty. Admiralty to Lords of Trade. Send state of the French fishery of Cape Breton and the necessity for a fort at Canso. The document enclosed, received from Captain Warren of H.M.S. "Squirrel," gives the number of vessels employed by the French, the principal ports in France, Spain, Portugal and Italy to which the fish caught are exported, where they sell at higher prices than English fish, by reason of the care taken in curing and of the method they have for the sorting and sizing for the proper markets; the account gives also the sorts and sizes of fish for the different ports (the names are copied here as in the original), namely, Lisbon, Mersailes, Leghorn, Naples, small white fish; Burdeaux, Nats, Bayone, Bilboa and all Biscaye, large black fish; Cadiz, Allicant, Civile, Latter fish of all sorts, one with another; Dunkirk, Navre, St. Maloes, Large writa fish; French West Indies mostly refuge (*sic*) fish. The miserable state at Canso, of the garrison, if it can be called so. The decay of the fishery at Canso, on account of the encroachments of the French, who "have no fishing banks within their limits, but such as are "subject to inconveniencies that wou'd render it impracticable to carry "on the Fishery with any advantage." The islands of Canso are fit for fishing and for nothing else. Recommends that a small fort be built and settlements formed at Fort Lahave and Shettbucto. The French inhabitants and Indians are rivetted to the French on account of the annual presents they receive besides a new gun being given to each of the Indians triennially. E. 63. B. T. N. S. vol. 8

November 21, Ship "Deal Castle." Captain West to Admiralty. Sends answers to queries and account of the state of the cod fishery at Canso for 1739. The answers and statement follow the letter. E. 64

December 8, Annapolis Royal. John Adams to Lords of Trade. The death of Armstrong by his own hand. He (Adams) has taken the office of President of the Council. Enclosed are the minutes of the Council at which Adams assumed the office of President, as senior Councillor and a letter from him of the 10th calling attention to the defenceless state of Annapolis. (These letters, apparently original, do not appear to be signed by Adams himself, as may be judged by comparison with what are undoubtedly his own signatures, which are very tremulous, the present letters being signed in a bold firm hand, the same as that in the body of the letters. E. 66

(An extract from this letter and from one of the 10th were sent by the Lords of Trade to Secretary of State on 1st May, 1740).

Compare with letter of this date and enclosures in A. & W. I. vol. 30, pp. 143, 144).

1740. March 14, Admiralty. Admiralty to Lords of Trade. For heads of inquiry for the captain of H.M.S. "Eltham," appointed to attend the fishery at Canso. E. 65. B. T. N. S. vol. 8

(For these see B. T. N. S. vol. 33, p. 247).

March 28, Annapolis Royal. John Adams to Horatio Walpole. The quit rents payable by the French inhabitants having been received by Armstrong since 1732, he has attached his effects until orders are received. Minutes sent to Lords of Trade. A. & W. I. vol. 30, p. 145

1740.

Minutes, with list of names and sums received. 145 to 149

Minutes relating to the claim of Mascarene to be president of the Council, disputed by Adams. 150

ruh 28, napolis yal. Adams to Secretary of State (Newcastle). Respecting his claim and that of Mascarene to the presidency of the Council. A. & W. I. vol. 30, p. 154

(Minutes which follow are duplicates of those beginning at p. 150 *verso.*)

y 1, itehall. Lords of Trade to Secretary of State (Newcastle), send extracts from letters from Adams, as to "the ill state of the troops and fortifications" at Annapolis Royal. B. T. N. S. vol. 33, p. 352

(A duplicate with the extracts is in A. & W. I. vol. 594, fo. 114, 116).

y (?), napolis yal. Mascarene to Lords of Trade (undated; the conjectural date in the margin is given from a consideration of the proceedings of Council after 22nd March.) On hearing of Armstrong's death, returned from Boston on the 20th March and on the 22nd took his place as president of the Council, unopposed except by Adams, who had taken his seat in the Council pending his appeal to the King. Had issued the necessary proclamations to continue the officers of justice, &c., and sent letters to the deputies of the inhabitants. The desire of the inhabitants to live at peace and in submission to the King and their sense of the advantages they enjoy under British government. The circumstances of the Province: the need in it of a more perfect establishment of civil government. E. 69, B. T. N. S. vol. 8

y 6, itehall. Order in Council referring to the Lords of Trade petition from merchants and others for a fortification at Canso. Copy of petition with signatures is attached to the reference. E. 67

ne 7, napolis yal. Mascarene to Secretary of State (Newcastle). Had received several proclamations of war with Spain, which he had published in the best manner the Province was capable of. With respect to letters of marque, there are no ships belonging to this government and those from Great Britain and the plantations only report at Canso, above 130 leagues distant, and that only in the fishing season. The inhabitants are French allowed to remain on taking the oath of allegiance; they have increased considerably and are not to be depended on; in event of a war with France it is as much as can be expected if they can be kept from acting against Government. The people are sensible of the ease they now enjoy, but the Government of Cape Breton, by means of emissaries, may stir them up, and to this their bigotry to the Romish religion may contribute. There are not above half a dozen English families in the Province, except those belonging to the garrisons here and at Canso, so that there are at least thirty French to one British subject, including officers and soldiers in both garrisons. A. & W. I. vol. 30, p. 153

ne 18, itehall. Lords of Trade to Privy Council. On the petition of New England merchants engaged in the fishery at Canso; recommend that the place be fortified. B. T. N. S. vol. 33, p. 348

ne —. Philipps to Lords of Trade. State of Nova Scotia; its defenceless condition and danger in case of a rupture with France. The last paragraph says: "It is, therefore, humbly submitted whether in case of a "Rupture with France it may not be advisable to augment the Land "Force now there, and also to send a Naval Force thither, as likewise "to cause some Fortifications to be Erected and a proper supply of Ord-"nance stores to be sent over." E. 68, B. T. N. S. vol. 8

ly 20, napolis yal. Memorial of John Adams to the King respecting the dispute with Mascarene as to the presidency of the Council. A. & W. I. vol. 30, p. 157

gust 16, napolis yal. Mascarene to Lords of Trade. Le Mercier objects to pay a penny an acre for Sable Island, owing to the barren nature of the soil, but asks

1740. that he should have the preference should any other offer be made. The advantage of the settlement in case of wrecks on the island. The reason for issuing the proclamation respecting the excommunication of a constable, embodied in the minutes sent with this letter. The disadvantage to new settlers of the claims set up by the French inhabitants to the possession of all the lands. Description of Shipody. Respecting the collection of the King's rents, of which he sends an account.
E. 70, B. T. N. S. vol. 8

Enclosed. Minutes of Council, followed by account of the rents. E. 70 x 1

September 27, Annapolis Royal. Shirreff to Adams. Explains his course in the dispute with Mascarene, &c. A. & W. I. vol. 30, p. 156

November 10, Annapolis Royal. Mascarene to Lords of Trade. Sends duplicate of letter of 16th August, and correction of the order in which the minutes should be placed. Has no recent news from Europe. The inhabitants continue peaceable. E. 75, B. T. N. S. vol. 8

(The letter enclosed is a duplicate of E. 70; the statement that there is an addition does not appear to be correct. An extract was sent by Lords of Trade to Secretary of State, on 30th July, 1741).

November 15, Annapolis Royal. Mascarene to Secretary of State (Newcastle) (1). The dispute with Adams as to the presidency of the council settled in his (Mascarene's) favour by vote. (2). Renewal of application by Le Mercier for grant of Sable Island for a fishery and to feed cattle, &c. (3). The number of priests for the French increased from three to six; their encroachments; had issued a proclamation that no ecclesiastical jurisdiction of the Church of Rome was to be allowed, in accordance with the treaty of Utrecht; its good effect. Does not know if the order sent by Ovide to the priests to quit the government has been complied with; the danger of enforcing order by military execution. (4). Asks for instructions how he is to deal with the French inhabitants, who have divided and sub-divided the land, and now ask for new grants, which, according to instructions are to be made to Protestant subjects only. The French have, during the delay for instructions, settled on the skirts of the Province, and it has not been thought advisable to dispossess them by force. Since his (Mascarene's) residing here he has tried to make the French sensible of the difference between the French and British Governments, by administering impartial justice. The French at Cape Breton take every opportunity of disturbing the peace of the Province, and at this juncture it is dangerous to interfere with the inhabitants as they could soon cut off all supplies from the garrison. Gives an account of his own career. A. & W. I. vol. 30, p. 158

December 9, Horse Guards. Philipps to the same. Sends memorial respecting the means to secure the safety of Nova Scotia. 159

Duplicate in A. & W. I. vol. 594, fo. 118).

1741. Instances (undated) of encroachments made by the French upon the rights of the Crown of Great Britain in America. 77

February 11, Ship "Eltham." Capt. Smith to Lords of Trade. Sends account of the fisheries at Canso and Cape Breton. The account follows the letter.
E. 71, B. T. N. S. vol. 8,

March 8, Admiralty. Admiralty to Lords of Trade. For heads of inquiry for Capt. Byng. of H.M.S. "Sutherland," ordered to proceed to Newfoundland and for Capt. Burrish, of H.M.S. "Dover" proceeding to Canso. E. 79

March 14, Annapolis Royal. Mascarene to Lords of Trade. Transmits copies of letters he had sent to different parts of his government, which will show the temper of the French inhabitants and of the means taken to enforce His Majesty's authority. Has had no news from Europe since July last, nor from New England since the beginning of October, so that he does not know whether there is peace or war. The copies of the letters follow. E. 76

1741. There is a letter of same date to the Secretary of State (Newcastle). with copies of the letters respecting the French inhabitants in A. & W. I. vol. 30, pp. 160, to 164; compare with letter to Lords of Trade and enclosures.

An undated memorial gives "The case of Major General Philipps, Governor of Nova Scotia, showing his losses and claims.
A. & W. I. vol. 30, p. 165

pril 3. Memorandum (also undated, but marked as received on the date in the margin) on the administration of the Government of Nova Scotia, to be regulated by a Governor, Council and Assembly, the latter could not be held owing to the small population and there was little even for the Council to do but to cultivate friendship with the neighbouring Indians and encourage the fisheries. 166

pril 15, dmiralty. Admiralty to Lords of Trade. For heads of inquiry to be given to Capt. Burrish of H.M.S. "Dover," ordered to Canso to protect the fishery. E. 72, B. T. N. S. vol. 8

pril 16, Whitehall. Lords of Trade to Admiralty. Send the heads asked for.
B. T. N. S. vol. 33, p. 353

pril 18, nnapolis oyal. Mascarene to Lords of Trade. Has received instructions for the appointment of commissioners for settling the boundaries between Massachusetts and Rhode Island; the steps taken accordingly. The inconvenience caused by the few Councillors. Sends copy of petition from Chignecto in humble terms, but the inhabitants avoid putting in execution the orders of the Council, which the latter insist on. Hopes the engineer will give a true representation of the defenceless state of the fort when he waits on their Lordships, and of the still worse condition of the settlement of Canso. E. 77, B. T. N. S. vol. 8

(An extract was sent by Lords of Trade to Secretary of State, on 30th July, 1741.)

une 4. Memorial by Dunbar, Surveyor General, that it is impossible to conduct the survey without the use of a sloop. Gives some details of the timber, &c., in the Province. E. 73, B. T. N. S. vol. 8

(The memorial is undated, it was laid before the Lords on the date in the margin, along with a report from the deputy, Edward Amherst, which is marked E. 74.)

uly 30, Whitehall. Lords of Trade to Secretary of State (Newcastle.) Send extracts from Mascarene's letters, showing the defenceless state of the Province. B. T. N. S. vol. 33, p. 354.

(A duplicate, with the extracts, is in A. & W. I. vol. 594, fo. 120.)

November 23, Annapolis Royal. Mascarene to Lords of Trade. Alarm at reported rupture with France, the Province being defenceless. The proclamation has obliged the French inhabitants trading along the coast to give bonds for the export of provisions, but had no effect on the Cape Breton vessels trading to outposts, at which by land transport from Minas, &c., they received whole droves of cattle and other provisions. The want of instructions how to dispose of the increase of French families causes no small perplexity, as the children cannot be prevented from settling on the unappropriated lands. The commissioners to settle the boundaries between Massachusetts and Rhode Island are returned, so that there is now a full quorum of the Council. The trouble caused by Romish missionary priests. E. 80, B. T. N. S. vol. 8

Enclosed. Copy of correspondence with the priests. E. 81

Letter of same date to the Secretary of State (Newcastle) is on the same subjects, with some variations. A. & W. I. vol. 30, p. 167

November 24, Ship "Dover" Capt. Burrish to Lords of Trade. Sends state of the cod fishery at Canso, with a "scheme" of the French fishery at Cape Breton; these follow the letter. E. 78, B. T N. S. vol. 8

1741.
No date. 1741 (?). Case of Dunbar, Surveyor General of Woods in America. Prays for leave to resign his office of Surveyor General in Nova Scotia and to purchase another office. Memorial enclosed. A. & W. I. vol. 603

1742.
March 10, Whitehall. Lords of Trade to Admiralty. Send heads of inquiry. B. T. N. S. vol. 33, p. 355

(The same as those sent on the 1st of May, 1736.)

March 12, Boston. Adams to Lords of Trade. That he had presided over the Council and Province of Nova Scotia from the 6th of December, 1739, to the 22nd of March following. Had remained at Annapolis till July, and then returned to Boston to await the determination of his dispute with Mascarene, but had heard nothing yet of the result of his appeal. Had drawn on Philipps for £144 4s. 0d., as salary while he acted as Governor, but the bill (copy of which is prefixed) has been returned protested. Would have returned to Annapolis, but there is no chaplain to administer God's word, and the soldiers profane the Sacrament by baptising their own children. There has been no chaplain there for above four years, and some of the soldiers have had their children baptised by the Popish priests. E. 82, B. T. N. S. vol. 8

Enclosed. Petition in appeal. E. 83

May 20, Annapolis Royal. Mascarene to the Deputies from Chiconecto (Chignecto), in relation to the holding of their lands, the collection of the King's dues, &c. A. & W. I. vol. 30, p. 168

June 28, Annapolis Royal. Same to Secretary of State (Newcastle). The rumours of war with France have not changed the temper of the inhabitants, who still appear in a good disposition of sticking to their oaths of fidelity and of submitting to orders, except in the matter of settling on unappropriated lands, which cannot at present be restrained. As these lands are only to be given to Protestants, asks for further instructions. Minutes of Council and letters sent will show the plunder of a small vessel by some Indians, and also the good disposition of the French inhabitants and most of the Indians to maintain peace. Other letters show the disorderly settlements in the Bay; and still others, that the Romish missionary priests have been brought to a better behaviour. Has heard nothing for five years of LaVaux, an engineer from Surinam; he was then in New England. Represents that he has received no pay as President of the Council. 169

Enclosed. The documents mentioned in the letter. 170 to 177

September 24, Annapolis Royal. Mascarene to the Secretary of State (Newcastle). The inhabitants not being qualified to constitute a lower house, being French of the Romish persuasion, all transactions with them are by messages or letters to their deputies. The letters and answers will show the means used to maintain His Majesty's rights and authority till new instructions can be received. Repeats his statement of the disposition of the people as in letter of 28th June. The difficulties arising from want of funds to carry on Government. Has been refused by the Governor any personal allowance, so that he must apply to His Majesty. 178

Enclosed. Memorial for a share of the Governor's salary. 179

October 14, Annapolis Royal. Same to the same. Recapitulates the contents of former letters. Had expected instructions from Philipps, who is now in London, but being disappointed now sends an account of the state of affairs. The statement is chiefly personal, but reports the clashing between the civil and military rule, its causes, &c. 180

Enclosed. Minutes of Council on the seizure of two Frenchmen from Minas, who were confined in the guardhouse by order of the military commandant for calling first on the civil Governor. 183

1742. October 28, Annapolis Royal. Mascarene to Lords of Trade. Represents his position as civil Governor, and the obstacles he has met with, enclosing documents in support of his representation and asking for the redress of his grievances. A. & W. I. vol. 594, fo. 125

A memorial sent with this for a share of the salary of the Lieut.-Governor, dated 1st October, was forwarded by the Lords of Trade to Secretary of State on the 11th May, 1743. 135

Extracts from instructions &c., follow. 137

(See also E. 91, B. T. N. S. vol. 8).

December 3, Annapolis Royal. Mascarene to Secretary of State (Newcastle). Sends copy of letter from the Bishop of Quebec, sending two additional priests, and assuming the right to send priests into Nova Scotia at his pleasure, as well as to dignify some of them with the title of Vicar General. Has tried to make the Bishop understand he has no such power and has ordered the two priests he sent to depart the Province. Does not know whether they will obey, or how far they can be forced to do so. His difficulties in this respect. A. & W. I. vol. 30, p. 184

Enclosed. Correspondence with the Bishop of Quebec mentioned in the letter. 185

A letter of the same date and to the same effect was sent to the Lords of Trade (A. & W. I. vol. 594, fol. 131), with correspondence, minutes of Council, &c. (141 to 146).

1743. January 4, Annapolis Royal. Mascarene to Secretary of State (Newcastle). The death of Cosby having placed the civil and military rule in his (Mascarene's) hands, will end the wrangles and disputes which had subsisted for so many years. Peace and order prevail at present. A. & W. I. vol. 30, p. 189

Enclosed. The case of Major Paul Mascarene, dated 30th December, 1742. 190

On the same date and to the same effect, with variations, Mascarene wrote to the Lords of Trade, (A. & W. I. vol. 594, fo. 147); in which the case follows (148).

March 15, Admiralty. Admiralty to Lords of Trade. For the heads of inquiry for Capt. Young of H.M.S. "Kinsale" sent to protect the fishery at Canso. E. 88. B. T. N. S. vol. 8

(For the "heads" see B. T. N. S. vol. 33, p. 356; they are the same as those sent on 1st May, 1736).

May 11, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send extract from letter from Mascarene of 28th October, respecting his dispute with Cosby about the Presidency of the Council and applying for a share of the salary during the absence of the Governor and Lieut.-Governor. B. T. N. S. vol. 33, p. 358

(A duplicate is in A. & W. I. vol. 594, fo. 133. For enclosures, see Mascarene's letter of 28th October, 1742).

May 11, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send letter from Mascarene, of 3rd December, 1742, with correspondence with the Bishop of Quebec in relation to his sending priests into Nova Scotia. B. T. N. S. vol. 33, p. 357

(Duplicate is in A. & W. I. vol. 594, fo. 139. For the enclosed correspondence, see Mascarene's letter of 3rd December. See also E. 94, E. 95, B. T. N. S. vol. 8).

June 2, Whitehall. Lords of Trade to Secretary of State (Newcastle). Had sent extract from letter from Mascarene respecting disputes between him and Cosby. Have since received another letter from Mascarene (E. 97. B. T. N. S. vol. 8) reporting the death of Cosby. B. T. N. S. vol. 33, p. 359

(Duplicate in A. & W. I. vol. 594, fo. 151).

July 22, Whitehall. Lords of Trade to Mascarene. His letters received and copies transmitted to Secretary of State. Since Cosby is dead, presume he (Mascarene) will meet with no further obstructions. B. T. N. S. vol. 33, p. 360

1743.
August 23, Whitehall. Lords of Trade to Lords Justices. Transmit account of the present state of Nova Scotia; recommend that fortifications be built for its protection. B. T. N. S. vol. 33, p. 361

(Duplicate in A. & W. I. vol. 594, fo. 153).

August 30, London. Christopher Kilby to Lords of Trade (?). Had reported to the Admiralty the effectual method, in event of a war, of distressing the French fishery and trade in North America and asserted that the taking of Cape Breton was practicable and might be followed by the taking of Montreal and Quebec. The present weak state of all the posts. The importance of holding Nova Scotia; by an early attack, Cape Breton could be captured, thus assuring the safety of Nova Scotia, the possession of the fisheries, &c. A. & W. I. vol. 594, fo. 157

September 1, Canso. Hibbert Newton to———. Reports the illegal trade carried on by smugglers from Massachusetts on the coast of Nova Scotia. Enclosed in Lords of Trade, 16th December, 1743, which see.

September 2, Canso. Patrick Heron to Captain Young (?) Information respecting the illicit trade by smugglers and French encroachments. Enclosed in Lords of Trade, 16th December, which see.

October 10, Annapolis Royal. Minute of Council on a letter from Le Loutre, that the Indians had no intention to pillage the traders till war was declared between the two Crowns, and that the mischief done by the Indians was caused by them being supplied with liquor. Proclamation ordered to prohibit this. A. & W. I. vol. 594, fo. 159

Enclosed. Proclamation prohibiting the practice of supplying the Indians with spirituous liquors. 160

October 21, Annapolis Royal. Mascarene to Alexander Bourg, notary at Minas. The steps taken to secure peace with the Indians; sends proclamation agreed upon by the Council, which he is to publish, retaining the original among his records for reference. 163

December 1, Annapolis Royal. Mascarene to Lords of Trade. Dispatches received, with copy of treaty between Charles II. and the States General (the treaty, that is, of 1678), and recommendation from the Lords of the Regency to take measures to prevent any attempt consequent on a rupture with France. There are no letters of marque and no prizes are taken except for illegal fishing. No reliance can be placed on the inhabitants in case of a rupture with France, so that Nova Scotia is in a worse condition than any of the other Colonies. The forts of Canso and Annapolis Royal almost ruinous and the garrisons too weak to man them. The Captain of the man-of-war has left a small vessel to prevent illegal trade; the advantage of continuing her services, &c. 179

A similar, but not identical letter, of the same date to the Secretary of State. B. M. add. 19071, fo. 41

Compare these two letters with one of same date to Secretary of State in A. & W. I. vol. 30, p. 191, in which were

Enclosed. Minutes of Council, at which a proclamation was agreed to be issued "strictly forbidding the inhabitants from their aiding or "assisting the Indians in their piracies and from buying or receiving "any goods so piratically taken by the Indians, under the penalty of "being deemed rebels, and to require the inhabitants, by all means and "even by force, to oppose and prevent all such robberies." A letter from Le Loutre, priest to the Indians, and another from François Landry, state that the Indians are indignant at the charge. A. & W. I. vol. 30, p. 194

Minute of Council on the subject of supplying Capt. Gorham with necessary sails for his schooner, besides snow shoes, guides by land and pilots for sea, for distressing the Indian enemy. Petition of the inhabitants that they should not be asked to give guides; petition withdrawn, the deputies being assured that there was no intention to make them

1743. take up arms. The purchase of necessaries from the soldiers forbidden. The inhabitants profess their loyalty, but complain that some had been pressed by violence to serve on board of armed vessels from New England. The inhabitants, alarmed at the threats of the New Englanders, desire to know whether the people of Boston have a right to force them to war on the Indians. Other documents on the same subject. 195

mber 6, .S. nsale." Young to Lords of Trade. Reports his proceedings; interrogations addressed to him by the Governor of Louisbourg follow. Enclosed in Lords of Trade, 16th December, which see.

mber 16, tehall. Lords of Trade to Secretary of State (Newcastle). Send copy of letter dated 6th December, and papers from Captain Young of the "Kinsale," respecting French encroachments and illicit trade.

A. & W. I. vol. 594, fo. 165

Enclosed. Hibbert Newton, 1st September, 1743, which see.

Patrick Heron, 2nd September, which see.

Young to Lords of Trade, on board the "Kinsale," 6th December. Sends answers to the heads of inquiry. The produce of the fishery sold to the French; no trade at Canso, except by smuggling from Massachusetts. His exertions to prevent smuggling and French encroachments; has left a vessel to watch the coast, &c. The French have fortified St. John Island and placed a garrison there; they have 20,000 French inhabitants settled not above three or four leagues from that island, to be kept in the French interest. The French priests encourage the Indians, who are kept in French pay. There are no defences at Canso to protect British fishermen. A. & W. I. vol. 594, fo. 172

Copy of interrogations by Quesnelle, Governor of Louisbourg, to Capt. Young on the subject of seizures for illegal trade. 175

(A duplicate of letter from Lords of Trade in B. T. N. S. vol. 33, p. 372).

1744. uary 23, tehall. Lords of Trade to Secretary of State (Newcastle). Send copy of letter from Mascarene relating to the weak condition of Nova Scotia.

A. & W. I. vol. 594, fo. 177

Enclosed. Mascarene to Lords of Trade, dated 1st December, 1743, which see.

uary 24, tehall. Lords of Trade to Secretary of State (Newcastle). Send copy of letter from Mascarene of 1st December, 1743, reporting the weak condition of Nova Scotia. B. T. N. S. vol. 33, p. 373

The enclosure is not here. There is a *hiatus* in this series of the original papers from 1st June, 1743, to 19th April, 1749, volume 8, ending in E. 97, and volume 9, beginning at F. 68, that is, bundles F. 1 to F. 67 are wanting and the indications are that the loss took place at an early date and before the papers were bound. The probabilities are that the correspondence is to be found among the other series, as is the case with the enclosure mentioned in the above letter, which appears to be a duplicate of the one dated the 23rd February, which immediately precedes it, the difference in date probably arising from an error in registration of the letter.

21, apolis il. Mascarene to King Gould. Report received of war being declared; its effect. Has used his best efforts for the repair of the defensive works. Canso is in a worse position and must fall at the first onset. B. M. add. 19071, fo. 42*b*

21, apolis il. Same to Shirley. Had received dispatch by the hands of Bastide, who arrived soon after Ting of the provincial snow. The report, received at Louisbourg and brought by a passenger from there of war being declared, has caused uneasiness to the people outside of the fort. Panic on a rumour that a French officer with a force of Indians and others had passed up the river and the women and children were received into the fort; the report was without foundation. A more likely report is that seven

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privateers are being fitted out at Louisbourg to convey provisions from the French inhabitants on the Bay. Delegates had arrived from the St. John Indians; sends the import of their conference. If they can be kept quiet, the French at Cape Breton would have much less influence on the inhabitants. If there are designs against the place, they will probably be carried out soon, whilst the defences are insufficient and the garrison weak. Trusts for assistance from Great Britain and from Massachusetts, which latter has so great an interest in the preservation of the country. B. M. add. 19071, fo. 42

May 24, Canso. Terms of capitulation by Heron to Duvivier. A. & W. I. vol. 594, fo. 182

May 26, Annapolis Royal. Mascarene to Bastide. Gives an account of the works of defence and of what he thinks ought to be done. B. M. add. 19071, fo. 43b

June 2, Annapolis Royal. Same to King Gould. Having heard of emissaries from Cape Breton being among the French inhabitants to incite them to hostility, had sent for the deputies and others, who gave assurance of their intention to preserve their fidelity and desired leave to consult with the other settlements; shall know the result in a few days. Cannot force them to take up arms against the French, but if he can succeed in preventing them from assisting them, it will make it much more difficult for the French to attack the settlement. In the meantime, the work of patching up is going on actively. fo. 43

June 2, Annapolis Royal. Same to Borland. Sends receipt for provisions. If the pease are not sent to complete the quantity for which a receipt was given shall sign no more receipts in advance. 45

June 4, Annapolis Royal. Same to Bastide. The French from Cape Breton landed on and captured the great island of Canso with the four companies. His efforts to strengthen the defences in case of an attack on Annapolis Royal. Asks that orders be given for the repair of the arms. 44b

June 9, Annapolis Royal. Same to King Gould. Reports the capture of the four companies at Canso and their defenceless condition; there is no vessel here to assist. Strives to keep the French inhabitants in their fidelity and hopes that the expected reinforcements will keep up the spirits of the garrison. 45

June 9, Annapolis Royal. Same to Philipps. The attack by the French from Cape Breton and the capture of the four companies at Canso. The efforts made to strengthen the defences. 45b

(Duplicate in A. & W. I. vol. 30, p. 212.)

June 9, Annapolis Royal. Same to Shirley. The fitting out of privateers at Louisbourg; the seizure of Canso with the garrison; the intention of the expedition to go to Placentia and probably attack Annapolis Royal. The armed galley has been of service in keeping the French inhabitants quiet; if some of the armed vessels or men-of-war would visit the coast it would have the same effect and at the same time raise the spirits of the garrison. The women and children are going to New England for shelter. All the houses at Canso burned down, which is better than if the French had fortified themselves there. Some New England traders still up the river; they may be captured, as attempts will be made by the enemy by sea and land, unless some of the men-of-war keep them in awe. Repairs to the defensive works; the hope of new fortifications had led to the old being shamefully neglected. Asks him to send a force for relief, part of which should be composed of Indians. 46

June 9, Annapolis Royal. Same to Lords of Trade. Sends particulars of hostile operations, the progress of defensive works, &c., and asks for a reinforcement. 46b

A postscript acknowledges receipt of the official declaration of war. 47b

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June 14, Annapolis Royal. Mascarene to King Gould. Copies of letters (9th and 14th June) giving an account of the taking of Canso on 13th May by a force from Louisbourg. A. & W. I. vol. 30, p. 210

Enclosed. Capitulation. See May 24.

June 16, Annapolis Royal. Same to Shirley. War proclaimed with all due solemnity; urges him not to press any of the French inhabitants who are sailors, as it is important to keep them in good temper, B. M. add. 19071, fo. 47*b*

July 2, Annapolis Royal. Same to Secretary at war. Details of the attack by the Indians, their demand for the surrender of the fort and refusal, &c. 48

July 4, Annapolis Royal. Same to Shirley. Account of the attack by the Indians on the post. 48*b*

July 4, Annapolis Royal. Same to King Gould. Account of Indian attack. 49

July 7, Annapolis Royal. Same to Shirley. Thanks for seasonable succour; his regret that he cannot comply with the request for powder as there is barely sufficient for the defence of the garrison. Has supplied the company sent by him (Shirley) with as many spare beds as could be found, but these will be required should recruits arrive. A company of rangers would be of great service. 49*b*

July 25, Boston Shirley to Lords of Trade. Was apprehensive of an attack on Annapolis Royal, and had reinforced it with all the troops he had then raised; had found it besieged by Indians, headed by a priest and a French officer; their flight on discovering the approach of reinforcements. Is sending more assistance to drive out the Indians, so that the garrison may be able to defend itself, should no large ships of war attack it, even were troops sent from Louisbourg. New works stopped and the old repaired to make the place defensible. Sends copy of correspondence with Duquesnel respecting exchange of prisoners; had entered into an arrangement with him on that head. Ff. 40 B. T. Massachusetts vol. 71.

Enclosed. Copy of correspondence Ff. 41, Ff. 42; representation of the Council of Nova Scotia on the capture of Canso, Ff. 44; see also Ff. 45, 46, 47.

July 26, Annapolis Royal. Mascarene to Bastide. Reinforcement sent by Shirley, for which the Assembly has refused to provide bedding; asks that he would order the storekeeper to provide what is wanted. B. M. add. 19071, fo. 50

July 27, Annapolis Royal. Same to Secretary at War. The reinforcement from New England had compelled the Indians to retire to Minas among the French inhabitants who had taken the oath of allegiance. They (the Indians) report that two ships of war with troops are expected from Cape Breton. The "Province Galley" had arrived with additional men, but without necessaries, which cannot be provided; has sent report of the condition of affairs. The troops from New England will only be here for two or three months; a reinforcement is, therefore, needed from Great Britain. A ship of 40 or 50 guns would be of great service, also a company of rangers to hunt the Indians in the woods, so as to enable fuel and other necessaries to be obtained. Is holding a court-martial on four soldiers taken on board a French privateer; sentence shall be forwarded, the warrant having expired giving power to sentence to execution, should that be found necessary. 50*b*

July 27, Annapolis Royal. Same to Lords of Trade. Had reported the surrender of Canso; declaration of war with France received. Attack by Indians on Annapolis Royal repulsed; the Indians retired to Minas, where they live at discretion on the inhabitants; they expect arms, &c., from Cape Breton, The ruinous fort (Annapolis Royal) patched up. The reinforcement from New England is of service, if it could be continued; hopes for a

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reinforcement from Great Britain; a ship of 40 or 50 guns should be added and also some rangers from New England, where the people are accustomed to hunt the Indians. A. & W. I. vol. 594, fo. 185

(A copy is in B. M. add. 19071, fo 51).

July 28, Annapolis Royal. Mascarene to Shirley. Retreat of the Indians to Minas, where they have been living on the cattle and poultry of the inhabitants. The St. John River Indians are dispersing, but about 200 are still hovering round Minas, divided into parties; some have appeared near Annapolis, but have done no damage. Had distributed the bedding, arms, &c., to the troops from New England. The want of funds. Is engaged in the trial by court-martial of the four deserters. The succour sent by him (Shirley) has raised the spirits of the garrison. The Indians have sent to Louisbourg for instructions and intelligence and flatter themselves that an armament is to be sent to take Annapolis Royal. As soon as the Indians withdrew, the inhabitants brought provisions and testified their intention to keep to their fidelity as long as the fort is kept. The inhabitants have signed an obligation to prevent cattle from being sent to Louisbourg; they are in a perilous situation, as those who pretended to be their friends have let loose banditti to plunder them, and they are threatened with ruin if they fail in their allegiance to the British Government. The trial of the deserters is over; asks leave to send three of them to be kept in security at Boston, all reasonable charges to be paid. Thanks for his (Shirley's) care, &c. B. M. add. 19071, fo. 51b

A letter of same date to King Gould on the same subject, but with additional details. 53

August 2, Whitehall. Lords of Trade to Mascarene. Had sent to Secretary of State copies of letter of 1st December and enclosures on the defenceless state of Nova Scotia, a subject on which they had reported to His Majesty in August last. B. T. N. S. vol. 33, p. 374

August 15, Horse Guards. King Gould to Andrew Stone. Sends report of the capitulation of Canso to be laid before the Secretary of State (Newcastle). A. & W. I. vol. 30, p. 209

August 28, Annapolis Royal. Mascarene to Shirley. The Indians are again gathering at Minas and have stopped all messengers. So far as can be ascertained a number of vessels from St. Malo were to land troops at Tatamagouch on Baie Verte. It is just reported that a number of men were seen coming out of the woods at the upper end of the river (Annapolis). Is uneasy at the delay in the arrival of the additional men promised. Desertion, with their arms, of men sent to bring in firewood. The want of a ship of force and rangers. The good treatment of the auxiliary force from New England. The captain who came last has not behaved well; none of the other officers is complained of. The absolute necessity for frequent intercourse between Massachusetts and Annapolis Royal. Trusts that the auxiliaries will not be withdrawn till there is help from somewhere else. B. M. add. 19071, fo. 53b

September 6, Kensington. Order in Council, embodying report of the Lords of Trade, giving thanks to Shirley for his exertions in sending relief to Annapolis Royal, and for obtaining from the Assembly of Massachusetts provisions and bounty for three companies. A. & W. I. vol. 63, p. 188

September 22, Annapolis Royal. Mascarene to Lords of Trade. The French have sent troops from Louisbourg by the St. Lawrence to Chignecto, whence they have marched by land gathering all the nations. B. M. add. 19071, fo. 54b

September 22, Boston. Shirley to Duquesnel, Governor at Louisbourg. Has received copy of the new agreement with Heron; is at loss to know by what authority he could agree, whilst a prisoner, to leave the troops prisoners three or four months longer than the time agreed on when they should be surrendered, and they are to remain so within the King's dominions and at

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his expense, instead of at the expense of the French King in Louisbourg. Holds, for reasons given, that the terms of the capitulation are void by Duquesnel's own argument and action. A. & W. I. vol. 594, fo. 193

Enclosed. Answer by Duquesnel to a proposal by Shirley for a modification of the articles of capitulation respecting the prisoners. fo. 196

October 4, Boston. Shirley to Lords of Trade. Respecting the state of the troops and garrison of Annapolis Royal, and the exchange of prisoners with the French Governor at Louisbourg. 189

(A copy was enclosed in Lords of Trade of 14th November).

October 8. Christopher Kilby. Report on the condition of Cape Breton, with a view to the attack on Louisbourg. A. & W. I. vol. 530, p. 1

See also A. & W. I. vol. 603

October 16, Boston. Shirley to Lords of Trade. Has fitted out vessels for an attack on Chignecto, which are to take on board a detachment from Annapolis Royal, to arrest the French inhabitants who have joined the French, and to take hostages from those who have not already revolted. Shall publish a declaration of war against the Cape Sable and St. John Indians. B. T. Massachusetts Ff., 48 vol. 72

November 9, Boston. Same to the same. Account of Nova Scotia. Ff. 50

November 14, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send copies of letters from Mascarene, 27th July, and from Shirley, 4th October, giving abstracts. A. & W. I. vol. 594, fo. 184

Enclosed. Mascarene to Lords of Trade, 27th July, which see.

Shirley to the same, 4th October, which see.

November 29, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send copies of letters from Shirley, dated 25th July and 16th October, relative to succours sent by Massachusetts to Annapolis Royal; to the exchange of prisoners taken at Canso and to a proposal from Duquesnel, Governor of Louisbourg, for a neutrality for British and French fisheries. A. & W. I. vol. 594, fo. 188

The enclosures are not with the letter; they are in B. T. Massachusetts, that of 25th July Ff. 40, and that of 16th October Ff. 48, and are calendared at their dates.

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January 17, Whitehall. Lords of Trade to Secretary of State (Newcastle.) Send copies of letters from Mascarene of 22nd and 25th September, with memorial from Gorham for a grant of Sable Island, and copy of letter from Shirley giving an account of Nova Scotia. B. T. N. S. vol. 33, p. 375

The letter from Shirley, mentioned above, dated 9th November, 1744, is in the series B. T. Massachusetts, vol. 72, where it is marked Ff. 50. A subsequent letter, dated 10th July, 1745, is in the same volume, marked Ff., 82. Both are calendared at their proper dates.

February 28, Whitehall. Lords of Trade to Privy Council. Send instructions proposed to be transmitted to the Governors of New York, New Jersey, Connecticut, and Rhode Island, requiring them to afford all the assistance in their power to Nova Scotia. B. T. N. S. vol. 33, p. 376

The circular follows. 378

February 28, Whitehall. Lords of Trade to Privy Council. Report on Sable Island; recommend that Gorham receive a grant thereof at a nominal quit rent, but cannot recommend the erection of a lighthouse on the island, as it might rather be detrimental than serviceable to navigation. B. T. N. S. vol. 33, p. 379

Spring. Mascarene to Shirley. The intended expedition is a glorious undertaking; wishes he could have taken part in it. The winter has been passed with ease; the enemy has not come near; the season has been favourable; the inhabitants have brought materials; the works present a different appearance; the garrison healthy and the auxiliaries, &c., satisfied. Report of Duvivier's arrival at Louisbourg with a new Gov-

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ernor and three ships. This, with other intelligence, has stirred the garrison to greater activity. The number and distribution of the troops. B. M. add. 19071, fo. 545

(There is no date. The expedition against Louisbourg took place early in 1745, and this letter was evidently written shortly before that.)

April 6, Boston. Shirley to House of Representatives. Had recommended Bastide for his services on the works at Castle William and at the other forts as far as Casco Bay which he had performed at the request of a committee of the House. Is now employed in preparation for the expedition against Cape Breton. Again urges an acknowledgment of Bastide's services. A. & W. I. vol. 63, p. 12

April 29, Annapolis Royal. Mascarene to Secretary of State (Newcastle.) Since the sailing of the French armament no enemy has appeared within reach. Is repairing the fort with all diligence. Report of reinforcements for Louisbourg and of an intended attack on Annapolis. The probability of the truth of this, but the armament from New England against Louisbourg will prevent an early attempt on Annapolis. Has retained the four auxiliary companies sent by Shirley, without which he could not have carried on the common duty of the garrison. The minutes enclosed will show the conduct of the French inhabitants, whilst the enemy was in the Province. A. & W. I. vol. 30, p. 213

May 18, Louisbourg. DeChambon to Pepperrell and Warren (in French.) Refuses to listen to a proposal for the surrender of the fort, until after the most vigorous attack. A. & W. I. vol. 530, fo. 4

June 18, Louisbourg. Warren to Secretary of State (Newcastle.) Pepperrell and he by a joint letter had informed His Grace that they were in quiet possession of Louisbourg, surrendered by capitulation, the articles of which will be transmitted. Recommends that the New England forces employed on this expedition should be rewarded either by preferment or otherwise, and as General (Pepperrell) is a gentleman of considerable fortune in New England recommends him for a baronetcy. In any future expedition 30,000 men could be raised by a gentleman in whom they could have confidence, but as the New Englanders are almost levellers they must be treated differently from other military forces. Macdonald of the Marines has been promoted to be colonel, other officers (not named) also promoted. Broadstreet (Bradstreet?) of Philipps's regiment recommended. Asks for the government of New Jersey when it shall be vacant, and hopes his services will entitle him to his rank in the navy. A. & W. I. vol. 65, p. 28

June 19, Louisbourg. Pepperell to to the same. Recommends that a garrison should be left at Louisbourg; that he should have command of his regiment and that Bradstreet should be his Lieut.-Colonel. He was the first projector of the expedition and has distinguished himself on all occasions. Asks leave to go to New England. His high opinion of Warren. 30

June 28, Louisbourg. Same to the same. (The date is as in the margin, although it is not improbable it should be the 18th.) The capture of Louisbourg, effected on the 16th instant by his Majesty's New English subjects, whom he had the honour to command, assisted by a squadron of ships under Warren. On the 17th the ships entered the harbour and part of the troops marched into the city; regulations made for its security and government. Sends copy of capitulation and list of troops raised in New England. Praises the troops for their zeal and endurance in transporting guns, landing stores, &c.; gives details of the operations. The French had intended to attack Annapolis this summer had they and the Indians not been called on for the defence of Louisbourg, for which they were too late. There were in the city, without them, 2,000 men able to

1745. bear arms. The necessity that warm clothing should be sent for the troops. 34

Enclosed. Demands made and terms agreed upon for the surrender of Louisbourg. 36

"Registry of the commissions in the army under the command of the "Hon. Wm. Pepperrell, Esq., for an expedition against the French set-"tlement on Cape Breton." The names, with the dates of the commissions of the general officers are: William Pepperrell, Esq., Lieutenant General and Commander-in-Chief of all the forces by sea and land, dated 31st January, 1745, from Governors Shirley, Law and Wentworth. Roger Wolcott, Esq., Major General from Governor Shirley, dated 7th March, 1745. Samuel Waldo, Esq., Brigadier General, from Governor Shirley, dated 7th March, 1745. Joseph Dwight, Esq., Brigadier General, from Governor Shirley, dated 20th February, 1745. 44

In the preceding list, the year is given as by modern usage; in the following it is given in the old style, February and March, 1744, that is 1745.

The names of the officers of each regiment are given; those of the Colonels are:

MASSACHUSETTS, 1st regiment; Hon. Wm. Pepperrell; 2nd Samuel Waldo; 3rd, Jeremiah Moulton; 4th, Samuel Willard; 5th. Robert Hall; 6th, Sylvester Richmond, Jun.; 7th, Shubael Gorham.

CONNECTICUT regiment "whereof William Burr is Colonel,"; in the list "Andrew" Burr is given as Colonel and Samuel Lothrop as Lieut. Colonel.

NEW HAMPSHIRE regiment, Samuel Moore.

Train of artillery sent from MASSACHUSETTS, Joseph Dwight.

The list of the other officials—Surgeons, commissaries, transport officers, &c.—follow.

Ratification of the capitulation. 51

(Duplicate of this at p. 55.)

4, sbourg. Warren and Pepperrell to Secretary of State (Newcastle). Send duplicate of letter of 18th June, by a second express and recapitulate its contents. As they have no power to put the Colonies to expense for the repair or maintenance of the garrison, they have been obliged to draw on the Treasury. Such troops as may be sent to garrison the place should be supplied with provisions and they must have warm clothing and lodging. Recommend Captain Rouse, who commands one of the Colonial cruisers and who carries this dispatch, to be appointed to one of His Majesty's best sailing snows to be sent on the New England station, under the orders of the commanding sea officer. The question of a treaty with the Indians is now under consideration. 53.

10. on. Shirley to Lords of Trade. Account of the reduction of Cape Breton Ff. 82, B. T., Massachusetts, vol. 72

30, isbourg. Pepperrell to Secretary of State (Newcastle). Asks to be appointed Governor of Louisbourg. A. & W. I. vol. 63, p. 57

ust 5. "Projet pour l'établissement d'une colonie dans la Nouvelle Ecosse, "où l'on fait voir les avantages considerables qu'on en peut-retirer." Apparently a prospectus, but neither signed nor dated; endorsed as received on the date in the margin. The number of families it was calculated could be obtained was 66,667, with a profit to the proprietors of the land of £475,000, besides 20,000,000 acres for distribution among them. It was expected that the families could be drawn from the Palatinate, Switzerland, Saltzbourg and Ireland, with some from Scotland, who had lately shown a desire to emigrate. It appears, from internal evidence,

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to have been a scheme of Waldo's of Boston, the same who purchased the rights, such as remained, to the Stirling grants.

A. & W. I. vol. 594, fo. 199

There follows, also undated, a state of the right of the Crown of Great Britain to the Province of Acadia, or Nova Scotia, prefaced by the 12th article of the treaty of Utrecht, on which the whole document is a commentary, supported by a historical account of the changes of ownership from the date of the grant to Sir William Alexander in 1621. 201

(For a slight sketch of Waldo, see report on Canadian Archives for 1886, p. xi.; his proposals for a settlement in Nova Scotia, in which he gives a brief summary of changes in ownership from 1621, are in the same report, p. cliv.)

August 8, Whitehall. Lords of Trade to Mascarene. Dispatches received of 27th July, 22nd and 25th September, 1744 and 29th April, 1745. Are pleased at the failure of the French and Indians in their attack on Annapolis and at the readiness of the New England people to help. Copies of his letters and Gorham's memorial transmitted to the Secretary of State; they have reported on the latter. Approve of his diligence in repairing the forts, but the capture of Cape Breton should quiet his alarms. B. T. N. S. vol. 33, p. 384

August 9. Considerations by Oglethorpe on the measures to be taken for the defence of Cape Breton, in case it should be attacked by the French in spring. A. & W. I. vol. 530, p. 5

August 10. Whitehall. Secretary of State (Newcastle) to Shirley. Congratulates him on the success of the attack on Louisbourg. The satisfaction expressed by the King at his conduct and that of the Council and Assembly. For their conduct a flag has been given to Warren and a baronetcy of Great Britain to Pepperrell. Sends copy of order to Pepperrell to put Louisbourg in a state of defence. Warren to be Governor; provisions and ordnance to be sent and two regiments from Gibraltar ordered there. It is under consideration whether one or more regiments should be established of the American troops, under the command of Sir William Pepperrell, who was to have one of the regiments and the other to be given to him (Shirley). It is thought unnecessary to recommend him, with Warren and Pepperrell, to secure this valuable conquest. He (Newcastle) expresses his own satisfaction at his (Shirley's) having been able to set on foot and carry into effect his scheme for the reduction of Cape Breton. A. & W. I. vol. 63, p. 193

Similar letter to Pepperell, same date. 197

Similar letter to Warren. 203

August 10. Memorandum of the garrison, arms, &c., for Louisbourg. 11

August 13, London. Report by Earls Sandwich and Stair and Colonel Lascelles to the Lords Justices on the affairs of Louisbourg, &c. Recommend the raising of two battalions of Americans, that the commissions for these should be issued without loss of time, so that the troops may be disciplined, and the garrison put in a right disposition. The other recommendations are for officers, clothing, arms, provision for those disabled and for the wives and families of those killed, to come to terms with the Indians, and for the building of a hospital. A. & W. I. vol. 530, p. 13

August 13, Ordnance. Report to the Duke of Montagu, Master General, by the Ordnance officers, on a reference made by the Lords Justices respecting the stores and works necessary for Louisbourg. 7

August 16. London. Cockburn to Stone (Secretary to the Lords Justices). Sends report of the Officers of Ordnance, copy of which has been transmitted to Montagu, that he may write thereon. 11

August 20. Ordnance. Montagu to Lords Justices. Transmits report of the Officers of Ordnance on the Stores, &c., for Louisbourg. 9

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ember 11, Secretary of State (Newcastle) to Shirley. Two regiments to be formed
itehall. out of the American troops which served in the expedition against Cape Breton under Pepperrell, one of which is to be commanded by him (Shirley), the field officers, four Captains (five in the case of Pepperell), and subalterns, to be nominated by the King. Blank commissions would be sent for three captains and a certain number of subalterns, to be filled up with the names of those thought best qualified. Orders have been given to send two regiments from Gibraltar. Should the transports be forced to put into Boston, he is to provide for their subsistence. (The last clause is omitted in letter to Pepperrell, which otherwise is identical).
A & W. I. vol. 63, p. 209

ember 11, Same to Warren. His commission as Governor of Cape Breton sent.
itehall. The rest of the letter similar to that sent to Shirley. 210

ember 11. Same to Clinton. Should the transports with troops for Louisbourg
itehall. be obliged to put into New York, he is to provide for their subsistence during Winter. 211

(Copies of the letters of 10th August and 11th September, were enclosed in Catherwood's of 29th April, 1747).

ober 3, Pepperrell to Secretary of State (Newcastle). Is pleased to learn of
isbourg. the satisfaction with the success of the expedition against Cape Breton. Thanks for the dignity conferred on him; hopes to confirm the sentiments of loyalty in His Majesty's New England subjects, so universally prevailing among them. Is happy to find such prompt measures taken for the security of the new acquisition and that Warren, whom he esteems highly, is to be appointed Governor. Had allowed no questions of precedency in command to interfere with the operations, as had been too frequently the case in other expeditions. Capture of a rich South Sea ship, two East Indian ships and several other valuable prizes in sight of the soldiers, who think it a hardship if they do not share in the prize money. Will attend to cultivating an agreement with the Indians, now in the French interest, and to promoting the settlement and security of the conquest, in conjunction with Warren and Shirley; the zeal and good qualities of the latter. He (Shirley) is remaining at Louisbourg to take measures with the New England troops for its security. It was due to his importunity that he (Pepperrell) had taken the command, as Shirley represented there would be a risk of failure should he himself leave his Government. A. & W. I. vol. 65, p. 66

ber 3, Warren to the same. Had received dispatch by Rouse, that his report
isbourg. of the success at Louisbourg had been delivered. His pleasure at the expression of His Majesty's satisfaction; the importance of the acquisition towards securing the possessions on the Continent, by giving an opportunity to extirpate the French from North America, thus securing the fish and fur trades, which then would be infinitely more valuable than now, when the Indians are stirred up by the French, preventing them from procuring the valuable furs which the continent affords. Unless, however, a civil Government be established, it be made a free port and such other advantages be given as will encourage settlers, Louisbourg will be a most expensive garrison. Has communicated to the fleet His Majesty's satisfaction. The favour shown to the New England troops will have a good effect. If all the Governments (Provinces) were under the influence of their respective Governors as New England is under that of Shirley, they might do great things. Is glad he (Shirley) is to be rewarded for his services; he has been here for some time and has had a difficult task to keep the troops easy under their disappointment at not being allowed to return after the expedition was over. Is gratified at his promotion, but would decline the Governorship if possible; will, however, remain till further orders. Is glad the Ordnance stores and troops are ordered here. It being too late to send the inhabitants of

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the Island of St. John to France this year, has made a treaty with them to remain neutral; they should be sent off next Spring, seeing the ill effects in Nova Scotia of leaving any of them in the King's territories, and it would be a good thing if those at Annapolis Royal could be removed. His close friendship with Pepperrell. His wish to be sent as Governor either to New York or the Jerseys. 63

November 4, Louisbourg. Pepperrell to Secretary of State (Newcastle). Is with Shirley and Warren, forwarding the necessary repairs, providing fuel, &c., for the winter. Will endeavour to give the troops from Gibraltar as comfortable a reception as possible. Hopes the engineer promised will be here speedily, as there is only Bastide, the engineer for Annapolis. His request to be appointed Governor was made before he knew that Warren had been selected. Outbreak of fever and mortality in the garrison. 68

November 23, Louisbourg. Warren to the same. He, Pepperrell, and Shirley have been constantly employed on the works. Shirley's presence has been of great service in contenting the New England troops, who were and are, uneasy at not being dismissed, their construction of the proclamation being absurd, as if they could leave before the place was protected by regular troops, which he is afraid may not arrive this fall. The garrison will then be very weak with 2,000 men, many of them sick and unfit for duty. The garrison is sickly, a condition he has observed in all towns that have been besieged, but he hopes the cold will remedy this. Thinks of keeping the "Vigilant" here all winter, and of ordering the other ships to be here early in spring; hopes the squadron may arrive before the French can send one to block him up; will lay booms to defend the harbour. The expense of the garrison will be extraordinary and can only be lessened by encouraging the inhabitants to carry on the fishery; as the population increases, the number of troops may be lessened. Recommends the making up of the convoys here and again urges the establishment of a free port and a civil government under a man of honour, humanity and toleration of dissenters as in Massachusetts, whose morality he praises. His desire to resign this government; recommends Shirley, if he would accept; his great influence in New England might warrant his being there, leaving the government to the next commanding officer, Shirley only requiring to visit the place once a year, except upon extraordinary occasions; his qualifications for the office. If three regiments of Americans be established here, recommends Waldo for the command. Remarks on the force necessary for the reduction of Canada, which it is for the interest of all the Colonies to assist in. Recommends Capt. Tyng, who commanded all the Colonial armed vessels till his (Warren's) arrival. The danger of leaving the French inhabitants in Nova Scotia. False alarm that a French squadron was coming to attack Annapolis; the fatal consequence of their success. Bastide's plan for strengthening the garrison sent to the Board of Ordnance; repeats his warning of the extraordinary expense necessary for the fortifications. Expects great trouble in regulating the garrison if regular troops do not arrive. The losses sustained this year in the East India, South Sea and fish trade from causes stated. Vessels expected which should be watched for. P. S. Intelligence received of an intended attack from Canada on Louisbourg. Would have recommended Pepperrell for Governor, but he does not choose to reside, although he has promised that if an attack is made on Louisbourg he would return with a number of men. Captive Indians sent to the Indians of Nova Scotia to consult on terms of peace; the success of Clinton's negotiations with the Six Nations. Two vessels to be sent to France in a few days with 120 inhabitants of Louisbourg, agreeably to the capitulation, who will no doubt report the weak state of the garrison and the number of deaths, from eight to fourteen a day, so that no doubt the French will make an early and

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vigorous push to regain Louisbourg. Is trying to get succours from the Colonies, but is doubtful of the result. As no confidence can be placed in the inhabitants who were allowed to remain in their possessions, they have been ordered into garrison to be sent to France as soon as possible, as was done with the 120; they number 287 souls. A. & W. I. vol. 65, p. 70

mber 9, apolis al.

Mascarene to Secretary of State (Newcastle). Unsuccessful attack by a detachment of 700 Canadians and Indians, who only surprised two vessels from Boston with stores. The party reached Louisbourg two or three days after its surrender and then returned to Canada. The province has not since been molested, except by the Indians, who are under the direction of the French. Refers to papers, enclosed, to show the temper of the inhabitants, their own representations, copy of letter to Shirley, showing his (Mascarene's) aims, which are to keep the people from joining the enemy, and to make them as serviceable as possible towards putting the ruinous fort in tolerable condition. Should, however, a force come from Europe, would not answer for the fidelity of the inhabitants. The fort now makes a pretty good appearance. Is disappointed at the non-arrival of an augmentation to Philipps's regiment, and has consequently been obliged to keep the four auxiliary companies sent from Massachusetts Bay, causing uneasiness to the men. A. & W. I. vol. 30, p. 215.

Enclosed. Representation in a letter to Shirley "of the nature of "the inhabitants and their behaviour since their being under the power "of Great Britain and more especially since the declaration of war with "France." The wonder, it says, is not that the French had so much influence, but that they had not more. He states his views as to the means to make good subjects of the inhabitants and continues; "If from other "views new measures are to be taken, and these inhabitants can be "removed, and good Protestant subjects transplanted in their room, "nothing can be of greater advantage to the Brittish interest in general, "and to that of the Northern Colonies in particular and especially to "that of this province." Gives his reasons for not proposing this plan, which could only be brought about by means of the neighbouring colonies, and concludes: "It is certain that if a change of inhabitants "is projected it must be carried on without our knowledge and talkt "of even in Boston as little as possible. The method I have practic'd "of threatening in general the punishing those who shall be found out to "have been most active in favour of the Enemy, may be continued till "everything is ready for an alteration, if after the above consideration "or any other that may occurr, such a revolution is judged proper to "be effected as most tending to the public service." 216

Representation (in French) of the inhabitants of the river of Annapolis Royal showing the dangers they incur, whichever side they take. 217.

Representation of the state of Nova Scotia and fort and garrison of Annapolis Royal, drawn up by a committee of Council, and approved in Council. It is a history of the events since the reduction of Annapolis Royal in 1710, the conduct of the French inhabitants, their refusal to take the oath of fidelity, their help to the enemy, etc. The statements are given in detail and the document continues; "By all which it ap-"pears that their actions in favour of the Enemy notwithstanding all "their Excuses comprehended in a Representation from the Inhabitants of this River, herewith transmitted, proceeded rather from a natural "disposition than force and that these terrifying Orders of Duvivier and "Marin were purposely continued to impose upon our senses; and far-"ther by their pointing out and delivering the English Cattle to the "Enemy their adjusting and settling acc^{ts} with them, and accepting "their promissory notes and Bills payable at Lewisburgh for their Pro-"visions, labour and other services, doth likewise "convince us that the

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"ation than any real fear." After arguing upon the statement of facts,
"that if not utter enemies, they cannot be accounted less than unpro-
"fitable inhabitants," the document concludes: "Upon the whole it is
"most humbly submitted whether the said French inhabitants may not
"be transported out of the province of Nova Scotia and be replaced by
"good Protestant subjects." 218

"Further observations relating to the settlement of Nova Scotia by Lieut. Amherst." Proposes that instead of quit rent, the lands should be laid out in townships of four miles square, divided into 66 shares, two of these appropriated for a minister and schoolmaster, and four for the Crown, which by the settlement of the country will make a valuable estate for the Crown "without one penny out of any one's pocket." Soldiers after some years' service may be discharged and have lands granted to them on condition of settling. Captains may carry fictitious names on the muster rolls till they have money to raise others. This will give a good military force. A. & W. I. vol. 31, No. 1

Endorsed. "Estimates and particular apraisements of the several "losses sustained by Her Majesty's English subjects of Annapolis "Royal by the French and Indian Enemy during the war." The losses are given in detail, the only exception being No. 5. "Mr. Skene's house pulled down, not approved." The total amount is £154 0s. 0d. No. 2

There is no date, but there are extracts from minutes of Council in the same volume (No. 12), with other documents dated 13th May, and petitions of the inhabitants respecting losses.

Minutes of Council, No. 13, 14 and 15, in 1748 and 1749. The reports of appraisers and other documents relating to these volumes are in Nos. 18 to 44

No date. "Description of L——sb—g in the i——ds of C—pe B—t—n." A. & W. I. vol. 530, p. 17

A rough map of Louisbourg. 21

"Some observations on the situation and strength of the harbour and "town of Louisbourg on the island of Cape Briton by John Elliot, "surgeon to Lieut.-General Philipps's regiment, who was prisoner there "for six months." 22

(These two documents and the map or plan (undated) appear to have been prepared before the attack on Louisbourg, and whilst it was in possession of the French).

1746. January 18, Louisbourg. Warren and Pepperell to Secretary of State (Newcastle). Recapitulate contents of previous letters. The sickness and mortality in the garrison, 500 being buried since Shirley left, and 1,100 still sick, want of firewood and other necessaries and of comforts for the sick. The shattered state of the houses. Shirley will take measures to reinforce the garrison early in spring. It was fortunate the "Vigilant" and "Chester," were kept as the seamen garrisoned the Grand Battery, so that the American forces were brought into the town to garrison the extensive works. The liability to surprise, there being no out settlement, whilst the enemy are informed of the circumstances of the garrison through the inhabitants. It must be the first care to remove them in Spring; suggest St. Ann as a fit place to settle with British subjects; sends plan. It is commodious for the fishery and has several improved farms. A garrison required; the strength of St. Ann. The non-arrival of troops was for the better, owing to the want of necessaries. Have sent to New England for the frames of houses to accommodate 2,000 men, but all the public buildings should be of brick or stone slated, except such as are immediately wanted. Believe that 3,000 or 4,000 troops are as few as should be in garrison. The French had only

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800 regulars, but in three days they could call in 5,000 or 6,000 well armed men; call attention to repairs required and to the want of a civil government, recommend that the port be free, &c. Need of a careening place, if the American and West Indian trade are to make up here for convoy. The loss of the "Rousby" and of all the crew (24 in number) but three seamen, who can give no definite information, except that they lost the convoy on the Banks of Newfoundland, three weeks before the wreck. Are afraid that if the enemy should send a superior naval force before the squadron shall arrive, the store ships may be taken off the coast. Requisition for ordnance. Have learned since writing of Shirley's arrival at Boston. A. & W. I. vol. 65, p. 1

anuary 23, nnapolis oyal. Mascarane to Giddings, master of the "Ordnance Packet." To hold himself in readiness for service. B. M. add. 19069, 22*b*

anuary 25, nnapolis oyal. Same to Cowley, engineer. To supply necessary rigging, &c., for "Ordnance Packet." fo. 22*b*

anuary 30, nnapolis oyal. Philipps (fort major) reports the escape of three French prisoners. 22*b*

'ebruary 11, oston. Shirley to Secretary of State (Newcastle). Had received dispatch from Mascarene respecting the state of Nova Scotia; could have wished that he and the Council had been more explicit as to the most advisable method of securing the Province against the French inhabitants. He has been referred to Little for fuller information; he is sending him with dispatches so that he may be questioned. Besides Little, refers his Grace to Kilby and Bollan. The spring before last, the garrison was only saved by the New England auxiliaries and last spring by the expedition against Cape Breton; its security this spring is of great importance, and this can be best effected by putting the inhabitants speedily on a footing of submission to prevent their revolt. Mascarene and his Council look to him (Shirley) to take the necessary measures. He is led to be importunate by the reported arrival at the St. John River of 400 Indians, well clothed, armed and supplied with stores from Canada, accompanied by 17 French officers; it was reported also that a body of French are in the neighbourhood, that a ship of war had arrived at Quebec with stores, and another at St. John Island, that the priests had returned from Canada with supplies for the Indians and large promises and with encouragement for the inhabitants to depend on a large force against Annapolis Royal. The French are making the utmost efforts to retain the Indians and gain over the inhabitants, and it is of the greatest consequence to counteract these efforts. The evil effects of the differences of opinion between Mascarene and his Council. It is desirable the Governor-in-chief should visit his Province for at least a short time. Arrival of recruits, 30 had died and above 60 in a bad state from scurvy; the measures he has taken for their recovery; shall send them to Nova Scotia as soon as possible. The good effect of the arrival there of a ship of force with recruits; hears that 100 more are expected; if no better than the last, is afraid the garrison of Annapolis will be no stronger after the New England auxiliaries are drawn off and detachments sent to St. John and Placentia. Will not draw off Gorham's rangers till further orders. Had disposed of men of Philipps's regiment taken prisoners at Canso, but released in accordance with the order lately received. Arrival of transports with officers of his and Pepperrell's regiments; will forward the raising of these regiments as much as possible, in the meantime supporting the garrison at Louisbourg. Arrival of ships at New York, with troops and provisions. Recommends Little, who commands one of the companies of New England auxiliaries. A. & W. I. vol. 63, p. 8

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Undated. A note signed by Francis Geary, of the Ordnance for Louisbourg. 11

March 13, London. Kilby to Secretary of State (Newcastle). The suitableness of Knowles to command at Cape Breton. The discharge of the expense attending the capture of Cape Breton and a stop put to the appointment of European officers to the American regiment will be the most probable means of completing the conquest of the island. A. & W. I. vol. 535

March 14, Whitehall. Secretary of State (Newcastle) to Warren. Owing to the state of his health his resignation of the governorship of Cape Breton has been accepted and Knowles appointed to succeed him. He is to consider with Shirley how the squadron can best be employed for the defence of Cape Breton and for an attack on the French settlements, especially on Quebec or any part of Canada. If an attack be thought practicable, he is to ascertain what number of land forces can be raised in the Colonies; sends letters to be forwarded to the different Governors on that subject. The Admiralty are putting ten sail of the line under his command for such an attack. A. & W. I. vol. 63, p. 212

March 14, Whitehall. Circular to the Governors of the different Provinces and Colonies, namely, New Hampshire, New York, Nova Scotia, New Jersey, North Carolina, South Carolina, Virginia, Connecticut, Rhode Island, Maryland. The apprehended attack on Louisbourg by the French early in spring. Two regiments sent from Gibraltar, another to be sent, part of which is now going on board two sixty-gun ships that are ready to sail, the remainder will leave under convoy in about a fortnight. Should Admiral Knowles, who succeeds Warren, apply for assistance, measures are to be taken to raise reinforcements, as also to raise a land force for an attempt on the French settlements. 215

March 14, Whitehall. Secretary of State (Newcastle) to Knowles. His commission as Governor of Cape Breton sent, not to be used till Warren shall have left. 216

March 14, Whitehall. Same to Shirley. Dispatches received; the King is sorry to hear from Warren of the weakening of the garrison from sickness; reinforcements sent. Knowles to succeed Warren, who will reside for a time at Boston, and with whom he (Shirley) is to consult as to the employment of the squadron in any further attempts on the French settlements. Concerning the raising of land forces and his (Shirley's) appointment to command a regiment. 217

March 14, Whitehall. Same to Warren and Pepperrell, respecting reinforcements. 220
(Copies of the preceding letters of 14th March were enclosed in Catherwood's of 29th April, 1747.)

March 15, Annapolis Royal. Mascarene to Cowley. Cannot give orders about barracks till he knows how many men are to be sent. B. M. add. 19069, fo. 23

March 18, Portsmouth. Knowles to Secretary of State (Newcastle.) Has arrived here and will go on board at Plymouth. Asks for a secretary for the garrison of Cape Breton. A. & W. I. vol. 63, p. 13

March 21, Annapolis Royal. Mascarene to Engineer. His plans for buildings approved of, and to be begun if there are no orders to the contrary. B. M. add. 19069, fo. 23

April, 1, Louisbourg. Warren and Pepperrell to Council of War. Desire a report of what should be the annual cost of provisions, spirituous liquors, fuel and clothing for the troops posted here. A. & W. I. vol. 65, p. 12
The report follows.

April 9, Whitehall. Secretary of State (Newcastle) to Pepperrell. Five battalions under St. Clair sent for the reduction of Canada. His and Shirley's regiments to be kept at Louisbourg while the expedition is in progress. Measures to be taken to raise these regiments to their full strength.
A. & W. I. vol. 63, p. 221

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Similar letters to the Governors of New Hampshire, Rhode Island and Connecticut, New York, New Jersey, Pennsylvania and Maryland. 222, 225

pril 9, hitehall. Secretary of State to Shirley. Recapitulates the number, &c., of troops sent for the reduction of Canada. The troops to be raised in North America are to be formed into companies of 100 men each; those from Massachusetts Bay, New Hampshire, Connecticut and Rhode Island should rendezvous at Louisbourg, to proceed under command of an officer named by St. Clair to the St. Lawrence, and immediately to Quebec with such ships furnished by the Provinces, as shall be appointed by Warren, who is to command the expedition. The troops raised in New York, New Jersey, Pennsylvania, Maryland and Virginia are to be commanded by Gooch, Lieut.-Governor of Virginia, promoted to be Brigadier General, to rendezvous at Albany, to proceed thence across the country to Montreal, so soon as intelligence has been received that the fleet has entered the St. Lawrence, either to besiege Montreal, or at least to break up the settlements between it and Quebec, to prevent these towns being supplied with provisions. Should the American troops not be able to form the siege of Montreal, it is hoped that with the assistance of the Five Nations, they might destroy the open country between Quebec and Montreal, leaving the reduction of the last place till that of Quebec had been effected. The regiments to be completed for the protection of Louisbourg. How the Colonial troops are to be officered, paid, clothed and armed; they are to receive a share of the booty taken and returned to their homes. The King hopes that not less than 5,000 men may be raised. Pilots to be procured and transports provided for carrying the troops to Louisbourg and thence to the St. Lawrence. The rebellion in the Kingdom and threatened invasion had made it impracticable to prepare during the winter for such an expedition, but the favourable turn of affairs had enabled His Majesty to spare a considerable force.
A. & W. I. vol. 63, p. 229

Other documents, substantially as the preceding, respecting the intended expedition against Canada. 236, 238, 243, 246

(Copies of these, with letters of the 9th April, were enclosed in Catherwood's of 29th April, 1747).

pril 11, nnapolis oyal. Proclamation that the price of rum is to be no more than eight pence a gill. B. M. add. 19069, fo. 23

pril 16. Mascarene to Davis of the "Annapolis Galley." To take as many troops to Massachusetts as the vessel can accommodate. fo. 23*b*

Noted that the same orders were given to the master of the "New Casco."

pril 17, nnapolis oyal. Mascarene to Ensign Philipps. On account of damage to provisions shipped by Townsend, they are to be issued alternately with Borland's. The cheese is to be thrown into the river. fo. 23*b*

pril 17, adeira oads. Knowles to Secretary of State (Newcastle). Asks for powers to assemble courts martial. A. & W. I. vol. 63, p. 14

pril 20, oston. Shirley to the same. Has suspended the execution of two men of the "Wager," tried and condemned for killing two men in the act of impressment at Boston. Shall continue the suspension in the case of Warren, Fowles, the boatswain, having died in gaol. The bad conduct of the master and purser of the "Wager," made them, he thought, more worthy of death than the men, and their conduct has much hurt His Majesty's service with the people here. 20

Enclosed. Account of the trial, taken by a member of the Bar and accepted by both sides as correct. 21

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April 23, Whitehall. Lords of Trade to Secretary of State (Newcastle). Send copy of letter from Mascarene, dated 9th December, with a postcript dated the 18th, in which he states his difficulties how he is to act with respect to three French inhabitants, whom he has imprisoned for holding correspondence with the enemy. A. & W. I. vol. 595

Enclosed. Extract from Mascarene's letter of 18th respecting the prisoners. (There is a duplicate in B. T. N. S. vol. 33, p. 385)

April 23, Whitehall. Lords of Trade to Admiralty. Send copy of letter from Mascarene, dated 11th of January last, that he had taken a sloop into the service of Nova Scotia and that a man of war should be stationed there for the further security of the Province. B. T. N. S. vol. 33, p. 386

May 15, Whitehall. Same to Mascarene. Commend his management of the people, which they hope will keep them from joining the enemy, and also his care for the repair of the forts. Copies of his letters sent to the Secretary of State and to the Admiralty. 387

May 16, Louisbourg. Warren to Vice-Admiral Townsend. Sends plan of operations he had proposed for this summer had the fleet arrived. His measures for protecting the new acquisition against any attack by the French or Canadians, or both, and against an attempt by sea. Suggests that the squadron, instead of lying in port, might be employed to more advantage. Next he proposed to remove the French inhabitants of St. John Island to France, according to treaty; there are about 1,000 souls in all. He also proposed to employ cruisers to intercept the trade to Canada, to prevent it being supplied with necessaries for life or war, which would make the conquest easier and probably bring in the Indians. This would relieve the Colonies from attack and secure the fur trade on the northern continent, as the destruction of the fishing fleet would make the British masters of the cod fishing. Sending a ship of war of forty guns to Annapolis would encourage the garrison and overawe the French inhabitants who only seek an opportunity to revolt. The care of Newfoundland and of the trade within the limits of his command was another part of his plan. A. & W. I. vol. 65, p. 13

May 19, Louisbourg. Copy of the address by the American officers to Governor Warren, signed by Sir W. Pepperrell. 20

For letter of 21st May, see enclosure in Pepperrell's of 24th June.

June 2, Louisbourg. Warren to Knowles. The King has accepted his (Warren's) resignation of the government and appointed him (Knowles). The new colony should answer the end of securing the quiet possession to His Majesty's loyal American subjects of their religion, laws, liberties and estates and their trade to the continent and West Indies, threatened by the French, who had been making this place a strong nest for their privateers and men-of-war. The cod fishing and fur trade would also be secured by this possession, as without it the French acknowledge Canada would be useless, an opinion in which he agreed, as supplies could be stopped from going to Canada and the Indians would thus be turned from the French interest. The importance of the colony being governed by a sea officer, who at the same time commands a squadron of ships. The importance of his early resignation to enable him to concert measures with the different Colonies; he, therefore, resigns at once. In consequence of a distinct promise, ships are preparing to take the American troops to their families. In accordance with the capitulation of the Island of St. John, that the French inhabitants were not to take up arms against His Majesty for one year, which expires on the 17th of June, measures to be taken to transport them to France before they have a right to take up arms. To encourage the speedy settlement of the Colony, the following articles have been recommended to the Ministry:—The establishing a civil government, making this a free port for a term of years, toleration to Protestants, granting lands, with great regard to those actually

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employed in the conquest. Making up the American convoys here would be an advantage to the settlement and security to the trade; a further advantage would be the fixing a careening place for His Majesty's ships, which would be the only place in America where they could clean with dispatch, without losing their men by desertion. In granting lands, recommends the people who were on the expedition. In pressing for seamen to man the King's ships, requests him to show as much lenity as possible to the people of these Colonies. His concern for the want of proper barracks, his and Pepperrell's exertions to obtain materials. The proper officers have been ordered to give exact accounts of the stores in their respective departments; the Engineer will give him a report on the state of the fortifications and ordnance. Other information for his (Knowles's) guidance when he takes the office of Governor.

A. & W. I. vol. 65, p. 15

(A duplicate at p. 92).

ne 2, uisbourg. Warren to Secretary of State (Newcastle). Arrival of Admiral Townsend with men-of-war and store ships; it was his second attempt, having been driven off the first time much shattered, and with the loss of the company of two of his squadron; the transports from Gibraltar had arrived about a fortnight before. H. M. S. "Towey" sent to protect the trade of Virginia, the "Torrington" sent to New York for the "Ruby" transport, the only one with troops missing and now daily expected. Arrival of Knowles; has received word that his (Warren's) resignation is accepted. The good qualities of his successor. Had informed Townsend of the plan of operations he had intended, had the command of the squadron remained in his hands. Sails for Boston in two days; discontent of the American officers at not being promoted. The expense of the garrison is, and will continue to be, great till the works are completed; additional barracks required. Nearly 2,000 men have been buried since taking possession, owing greatly to the want of necessaries. Till barracks are built, there will be no houses to receive inhabitants, who would gladly flock to the place from all the Colonies, if they could have land and fishing places granted and a civil government established. Hopes to have the necessary preparation made for the expedition in spring, &c.

A. & W. I. vol. 65, p. 8

ne 2, uisbourg. Return of troops in the garrison, including officers:

Regiments.		
	General Fuller's,	606
	Colonel Warburton's	613
	Colonel Shirley's	517
	Sir W. Pepperrell's	417
	Colonel Franton's (arrived but not yet landed)	300
	Royal Artillery	64
	Total	2,517

The return is signed by Warren.

ne 6, ndon. Vaughan to Secretary of State (Newcastle). "A summary of the "Reasons that induced William Vaughan to offer his services to the "Government to endeavour to bring Nova Scotia out of its most pres- "ent dangerous situation, and in a short time to make it one of the "most beneficial Provinces belonging to the Crown in North America." The present state of the province with respect to the Indians, who are now completely under the influence of the French, whose traders are supplied with goods from New England and derive all the benefit. Proposes to seize all the passes and take possession of the country which the Indians have not ceded. To expend £20,000 on garrisons and paying the Indians for the cession. If they refuse, then to take it by force; reasons given. If the trade between the English and French be stopped,

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the French traders can no longer supply the Indians. The grant of £15,000, with the bounties from New England will drive out the Indians. The people of New England offer more than £50 for every Indian taken, dead or alive. This will encourage American volunteers to follow them up and the want of supplies will force them to submit. The inaction of the present officers of the garrison; encouragement given to others would secure the province and save an immense expense. It is said that the members of government have made large grants of mineral lands to themselves and friends to the great discouragement of settlers. Proposes to introduce thousands of Protestant families.

A. & W. I. vol. 595

June 6, Louisbourg. Warren to Secretary of State (Newcastle.) Had resigned his office to Knowles and embarked on the 2nd, but could not sail, owing to unfavourable weather. Had sailed with Pepperrell on the 5th, but having received dispatches by the "Hinchinbrook" respecting the intended expedition against Canada he had decided to return. Had held a council of war for consultation, of which he encloses report. Believes the time too short to make preparations for such an expedition.

A. & W. I. vol. 65, p. 22

Enclosed. Report of the Council of War, held on 6th June. Warren should proceed to the Colonies to concert measures for the intended expedition against Canada. 25

Report of a Council called by Admiral Townsend, held on the same day. That cruisers should be sent to the St. Lawrence to intercept supplies for Canada, that transports should be procured to carry troops to Quebec and pilots engaged; in the meantime, the troops should be preparing for the expedition. 26

June 7, Annapolis Royal. Orders of the day, from 19th April to date in the margin.

B. M. add. 19069, fo. 24

June 7, Louisbourg. Council of War, respecting the removal to France of the inhabitants of the Island of St. John according to the articles of capitulation. Reported that the removal could not be effected, the transports being required for an intended expedition. A. & W. I. vol. 65, p. 88

Proclamation, dated 9th June, that the inhabitants of the Island of St. John may be allowed to remain for an additional length of time. 89

June 7, Louisbourg. Warren to Secretary of State (Newcastle). Death of Morris, Governor of New Jersey. As his (Warren's) future lies in New York, asks that he be appointed Governor, in room of Morris, with the prospect of succeeding Clinton in New York. 27

June 9, Annapolis Royal. Mascarene to Giddings. To proceed with dispatches to Louisbourg, where he will receive fresh orders. B. M. add. 19069, fo. 26

June 24, Boston. Pepperrell to Secretary of State (Newcastle.) Encloses his last letter written from Louisbourg. The garrison was healthy when he left and the transports with troops from New York had arrived. Shall pay all possible regard to fill up his regiment and to encourage and promote the intended expedition against Canada. If 200 rebel prisoners (the rebellion of the Highland Clans in 1745 is meant) could be sent over for his and Shirley's regiments it might make good subjects of them. A. & W. I. vol. 63, p. 18

Enclosed. Letter from Louisbourg, 21st May. The mortality in the garrison; 1,200 of the troops died from fever; all who escaped till spring recovered. Has been reinforced by troops from Gibraltar. Arrival of Admiral Townsend with two ships of war, besides the "Kinsale" and two transports with warlike stores. Had received his appointment as Colonel of one of the regiments. Is sorry he has been unable to promote officers who had behaved bravely on the expedition; this has

746. made it difficult for him and Shirley to fill up the regiments; 150 men have enlisted for Shirley's and 304 for his (Pepperrell's), 200 of whom have arrived from the Colonies. Asks that he might have the appointment of a Chaplain. Owing to the accession of the troops from Gibraltar, it has been determined to discharge the New England troops who have not re-enlisted and to return them to their respective Colonies. Asks for leave to go to New England for the recovery of his health. 15

(Duplicates of letter and enclosure are at page 31 and at p. 58, vol. 65; other copies, which precede Pepperrell's letter dated Piscataqua, 30 August, p. 62).

, bourg. Knowles to Secretary of State Newcastle). Had arrived on the 22nd of May. The immense expense that must be incurred to put the place in a proper condition of defence. Sends description, &c.
A. & W. I. vol. 65, p. 80

Enclosed.—"Description and state of the garrison and fortifications of "Louisbourg, with the opinions of Governor Knowles and Captain "Bastide, principal engineer, concerning them." 84

, bourg. State of the garrison. 91

, bourg. Knowles to Secretary of State (Newcastle). The bad state of the fortifications and the great expense that will be necessary for their repairs, &c. 97

12, polis Orders of the day from 10th June to date in the margin.
B. M. add. 19069 fo. 26

5, polis Order by Mascarane to distribute provisions to the people engaged on repairs to the fort. fo. 26*b*

t 30, laqua. Pepperrell to Secretary State (Newcastle). Had been using his utmost endeavours for the enlistment of men for the expedition to Canada and believes he has been tolerably successful. In Massachusetts there are about 3,000, levies, in New Hampshire about 800, in Connecticut about 1,000, in Rhode Island 300. The Governors would send more particular accounts. No word of the arrival of St. Clair. Has spared no pains to fill up his own regiment. The American officers are generally recruiting in the colonies. A. & W. I. vol. 65, p. 62

(For the copies which precede, see vol. 63, p. 15, and p. 58 of vol. 65).

nber 18, bourg. Knowles to Secretary of State (Newcastle). The measures he is taking to put the place in the best posture of defence. The mortality in the garrison from fluxes, owing, it is thought, to the bad water.
A. & W. I. vol. 65, p. 102

Enclosed. Expenses of the garrison. 105

Commanding officers, applying for money to subsist the troops. 109

Strength of the garrison. 110

nber 19, bourg. Knowles to Secretary of State (Newcastle). The letter of the previous day was intended to go by Townsend's squadron, but on the arrival of the fleet and forces under d'Anville, Townsend sent the "Rye," Capt. Craven, express, by which this letter is sent. Cannot tell yet what are the enemy's designs. Most of the works on the fortifications are now completed, so that he is not afraid of an attack as long as the fleet is here, and from the other dispositions made. Besides, the season is too far advanced for a sea force to act. Annapolis may fall, but there need be no great difficulty in retaking it in spring. Trusts His Grace will not disapprove of his having laid an embargo on the squadron till the French designs are known. Arrangements should be made for the regular pay of the troops; clothing and bedding are also wanted. Can speak confidently, that with all its disadvantages "Monsieur le Duc (d'Anville) with all his force shant have Louisbourg this trip." 111

1746.
October 5, Annapolis Royal. Orders of the day, from July 27th to date in the margin. B.M. add. 19069, fo. 27

October 9, Annapolis Royal. Mascarene to Spry, H.M.S. "Chester." The master of the "Montagu" is now ready to obey orders. fo. 27b

October 9, Annapolis Royal. Order for the distribution of rum to the troops, whilst the enemy continue to be about the place. 27b

October 28, Louisbourg. Knowles to Secretary of State (Newcastle). Sends intelligence brought by two of the neutral French employed as spies; it corroborates intelligence sent by Shirley, Warren, Mascarene and Spry. The French a few days before reported to be steering for Annapolis, which he had no doubt they would soon reduce, and thus obtain possession of Nova Scotia. Without a strong sea force, communication will be cut off with the colonies, and the New England fishery is at an end. Had the enemy arrived any time before August they could easily have taken Louisbourg. Is astonished the enemy has not cut off the supply of fuel; 100 Indians could have done this. Had sent Capt. Scott of Fuller's regiment with a flag of truce and 40 prisoners, so as to obtain news of the enemy's actions. Is distressed for the poor men, the clothing and bedding not having arrived. A. & W. I. vol. 65, p. 113

Enclosed. Report by the master and mate of the "Abigail" of meeting a French fleet off Sable Island. 115

Report from Capt. Spry of the "Chester." Had picked up an inhabitant who reported that the French fleet had met with a heavy gale off Sable Island, which separated them and had almost driven them all on shore. Two of their large ships were lost, the Admiral had arrived at Chebucto with only 4 men-of-war and 3 transports, and had died shortly after, it was thought of grief at the loss of his fleet. Thirty-one more sail arrived some time after and at a council of war it was decided that the next in command should not have the same extensive powers as the late Admiral. Movements against Annapolis. If there were only ten sail of the line the whole French armament could be destroyed. Is preparing to defend the passage at Goat Island, above which the enemy are preparing to land cannon. Will defend the garrison to the last. 116

Report brought by two French inhabitants of the preparations at Chebucto to attack Annapolis and then Boston. 118

Warren to Knowles, 6th October (extract). Does not think the enemy will attack Louisbourg, but is afraid of Annapolis and poor Spry. Report that the French are to winter at Chebucto and are fortifying it. Scouts sent to inform Admiral Lestock of the strength and situation of the French fleet and also to Townsend; if the two join, they can destroy the French fleet. Hopes Annapolis may be saved by timely assistance from Townsend. 119

Shirley to Knowles, 7th October (extract). The movements of the French; should they make themselves masters of Nova Scotia it must be retaken or they will finally become masters of the Continent. 120

Report by Mascarene at Annapolis of the movements of the enemy. 121

Knowles to the Duke d'Anville, 9th October, with a flag of truce and 40 prisoners to be exchanged. 123

Instructions to Capt. Scott, sent with the flag of truce. 124

Spry to Knowles, 3rd October. Arrival of a force against Annapolis; asks for assistance. 125

Report by Capt. Townley of the French fleet being seen on the 14th October off Cape Sambro. 126

November 8, Louisbourg. Knowles to Secretary of State (Newcastle). The enemy has retired from Nova Scotia with his shattered fleet, having done nothing but take in water and refreshments for the sick. Scott returned with a letter

1746. from La Jonquière and of an account of the miserable distressed condition of the fleet. Their design was against Louisbourg, could they have arrived in time and in good health. The French Commodore gave several small armed vessels to the inhabitants of Acadia for privateers: has sent off armed vessels to search the harbours and destroy them all. Ordnance and bedding arrived; accounts settled with Bastide. Illness of Colonel Warburton, the Lieut.-Governor. Clothing discovered and sold to the navy. Spruce beer allowed on acount of the men's health. La Jonquière says only one soldier was killed on the Island of St. John, the rest were sent to Quebec, which will give him an opportunity to send a flag of truce in Spring. The cattle collected for the expedition used for the garrison. Recruits wanted and money urgently required. Asks that some ships of war may be sent early in Spring, to prevent ships getting up to Quebec. Hopes His Majesty will put the French inhabitants out of Nova Scotia and Acadia, after the violation of their neutrality. Has sent the women to the Colonies; they were rather a public nuisance than a help to the men. 127

Enclosed. La Jonquière's letter by Scott. 130

State of the garrison of Louisbourg. 132

Scott's report of his proceedings with the flag of truce. 133

ember 10. List of holders of licences for the sale of spirits. B. M. add. 19069, fo. 35
apolis
al.

ember 12, Mascarene to Secretary of State (Newcastle). Account of the projected
apolis attack on Louisburg and Annapolis from Canada. The arrival con-
al. cealed of a force of 2,000 men in the French settlements on the upper part of the Bay, and it was six weeks or two months before he learned of it. The expected fleet not arriving to attack Boston, Louisbourg and Annapolis, most of the party returned to Quebec, leaving 700 or 800 when the Brest fleet arrived at Chibouctou, a fair harbour but not inhabited, midway between this and Louisbourg. A great storm had separated the Duke d'Anville, Admiral of the fleet, from the rest, and coming with his one ship to the rendezvous, he died of grief, believing the rest all lost. Arrival of some of the fleet afterwards, the mortality, quarrels among the officers, the Vice Admiral, becoming crazed, stabbed himself and transferred the command to La Jonquière. Attack on the fort and successful defence. Assistance rendered by ships of war. Retreat of the French fleet; conduct of the French inhabitants.

A. & W. I. vol. 30, p. 222

ember 28, Mascarene to Howe. Authorizes him to employ for the King's service,
apolis a vessel belonging to Nicholas Gautier, which had been forfeited.
al.

B. M. add. 19069, fo. 35

Abstract of the papers relating to the raising of troops in North America for the reduction of the French settlements. It includes letters from the Secretary of State (Newcastle) to the Governors, with answers from Governor Thomas, Philadelphia; Gooch, Williamsburg; Palmer, agent for Connecticut; Governors Bladen, Maryland; Wentworth, New Hampshire; and Clinton, New York; showing how many men had been raised by each, what arms furnished, &c. Governor Clinton's letter contains an account of the refusal of the Assembly to contribute towards the levy, beyond provisions and transport to Albany, the mutiny of the men, &c. On the 30th May, 1747, orders were sent by Newcastle to Shirley and Knowles to consider the state of Nova Scotia and Louisbourg and take measures for their defence if attacked either from Canada or Europe. A. & W. I. vol. 63, p. 1

ember 2, W. Bollan to Stone. Represents the hard case of his province (Massa-
tminster. chusetts), if the expense of the expedition to Cape Breton be not repaid.

A. & W. I. vol. 530, p. 24

1746. December —, Whitehall. Lords Justices to Montague. The officers of Ordnance at Louisbourg are to be put on the same footing as those in other foreign garrisons in respect to drawing bills, &c. 26

The correspondence on this subject follows. 27 to 33

No date. Memorial from Colonel Philipps, that he is ready to return to his government as ordered, but prays that effect may be given to the measures he has proposed for the security of Nova Scotia. 223

Address to the King from the Governor and Council of Nova Scotia. 224

1747. Summary statement respecting Nova Scotia. 225

January 20, Louisbourg. Knowles to Secretary of State (Newcastle). The vessels sent to destroy the small privateers in Acadia are not yet returned. The sufferings of the garrison from cold. The quantity of snow "in many places "twelve to sixteen feet deep and when it ceases snowing the whole "island is covered with an entire sheet of ice; nothing is more common "than for one guard to digg the other out of the guard room before they "can relieve them and so by the rest of the officers and soldiers out of "their several quarters, the drift snow sometimes covering the houses "entirely." Sends state of fortifications and the reason they are in such bad condition. The rotten state of the bedding: the disappointment that the clothing has not arrived. Desertion to the enemy reported as having taken place at Annapolis; fears the effect of the stoppage for provisions. The encouragement to desertion held out by masters of vessels who, he hopes, are punished on arriving in the Colonies. The bad state of the garrison at Placentia. The victualling contract not properly carried out. The difficulty of obtaining money to subsist the troops. Sends state of garrison; his own ill-health; asks leave to go to the West Indies for the winter. (Duplicate at p. 139). A. & W. I. vol. 65, p. 135

Enclosed. Mayar, priest, to How (in French), respecting the failure of the expedition, his return; is prepared to obey; the kindness of the masters of ships on board of which he sailed. (There is a duplicate at p. 152). 143

State of trade at Louisbourg, 20th January, 1747. (A duplicate at p. 180). 144

Requisitions on the merchants for £6,000 for subsistence of the troops. (Duplicates at pp. 146, 181). 145

January 20, Louisbourg. Knowles to Secretary of State (Newcastle). Reasons for the demolition of the fortifications of Louisbourg. 147

March 23, Annapolis Royal. Orders of the day and other orders, from 10th October, 1746, to date in margin. B. M. add. 19069, fo. 28

March 25, Annapolis Royal. Mascarene to Rous of the "Shirley." To assist on the expedition to Minas. fo. 30

March 25, Annapolis Royal. Mascarene to Winslow. To embark for the expedition to Minas. fo. 30

Similar orders to Sylvanus Cobb. 30

April 9, Annapolis Royal. Same to Cowley. Directions for the works of defence. fo. 30b

April 15, Annapolis Royal. Same to the same. To supply boards and nails to the New England troops for Minas. 30b

April 15. Annapolis Royal. Order for the execution of three convicts. 31

April 15, Annapolis Royal. Giddings to Mascarene. Applies for a supply of powder. 31

The order follows.

1747.
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ton.

Knowles to Secretary of State (Newcastle). Had sent Robertson, of the "Hind," to destroy some small privateers, instead of which he ran off to the West Indies, and these very privateers are now fitted out by de Ramsay, a Canadian officer, who had wintered in Nova Scotia and done mischief there; has no vessel to prevent these privateers from cutting off communication with Boston, or from interrupting the garrison getting fuel. The "Norwich" and "Canterbury" have not yet returned from the West Indies, though they were to be at Boston by the 20th of March. The misfortune of losing ships in spring in consequence of over security. Sends calculation of the quantity of fuel required. Bastide asks leave of absence. Complains of Lieut.-Colonel Ryan respecting blank commissions. It is reported that de Ramsay is still in Nova Scotia with 400 or 500 Canadians and that he has four vessels at Baye Verte, with stores and ammunition; 1,500 men are, besides, expected from Quebec, as soon as the navigation opens and another armament from France, so that a force is needed for the protection of Louisbourg and Nova Scotia. A. & W. I. vol. 65, p. 152

Enclosed. Documents relating to complaints against Ryan in respect to commissions. 157 to 164

Expense of fuel at Louisbourg. 165, 166

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ton.

Knowles to Secretary of State (Newcastle). Want of ships to cruise against the enemy. Repeats his request for leave to go to the West Indies in winter on account of ill health. Asks permission to join his squadron to Legge's and with one regiment from Louisbourg to fall on St. Lucie (Lucia) to wrest it from the French. Has no doubt of the result, or of reducing St. Vincent and Grenada. This would distress Martinique, which could be starved into submission. Asks that a secretary may be granted him as governor at Louisbourg and that the present secretary be put on the establishment. The salaries to him (Knowles) as governor and commodore, will not defray his expenses everything is so extravagantly dear at Louisbourg. Bastide has applied for leave and he (Knowles) now applies to succeed him, having been an engineer at Carthagena. 167

ril 29.

Catherwood to Andrew Stone Sends documents relating to the expedition against Canada. A. & W. I. vol. 63, p. 192

(For the enclosures dated 10th August and 11th September, 1745, and 14th March and 9th April, 1746, see at these dates).

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Mascarene to Lords of Trade. His satisfaction at the approval of his conduct. Had sent an account on the 15th November of the bad success of the enemy's fleet, of the retreat of the Canadians to Minas and of Shirley's intention to send a large body of troops to drive the Canadians out of the province. The delays caused by bad weather; retreat of the Canadians to Chignecto; troops sent to Minas. Owing to their too great security, they were surprised by the Canadians from Chignecto, Lieut.-Colonel Noble killed and his quarters taken; after a good stand the enemy offered terms which were accepted. The retreat of the Canadians from Minas has, however, enabled provisions to be obtained and kept from falling into the hands of the enemy, who had marched back to Chignecto, destroying everything they had got into their possession. At the opening of navigation, Minas was again taken possession of by the "Shirley" and a detachment of troops, with men from Massachusetts. The Canadians are still at Chignecto and report that another fleet is coming from France to attack Annapolis Royal. The measures that should be taken to defeat the attempt to capture the province. It is chiefly owing to Shirley's assistance that it has not already fallen. Belief of the French inhabitants that they were to be destroyed by the English, removed by letters from Shirley, so that the Canadians were disappointed in their hopes of a revolt. Those with

1747.

the Canadians at Minas were chiefly outlaws; those of any figure were from the Island of St. John and from St. Peter on Cape Breton; the bulk of the inhabitants show fidelity, but must be watched.
A. & W. I. vol. 535

Enclosed. Proclamation that the oath of fidelity is to be taken. This was not issued.

May 21, Annapolis Royal. Orders of the day from 22nd April to date in the margin.
B. M. add. 19069, fo. 315

May 30, Whitehall. Secretary of State (Newcastle) to Shirley. The King is satisfied with his diligence in raising men to co-operate with St. Clair against Canada. The contrary winds delayed the sailing last year till too late. Owing to information from him (Shirley) and Warren, it had been determined to give up the expedition for the present. Measures to be taken to preserve the old and new possessions in North America. Transmits scheme drawn up by Warren and others, but owing to the French naval force, the Admiralty report that two ships of the line only should be sent to Knowles, that Warren should go with Anson and should any part of the Brest fleet go to North America, Warren should be sent with a sufficient fleet to defend the Colonies there. He (Shirley) is to consult with Knowles as to the proper measures for defence against any attempts of the Canadians or French, so that Nova Scotia may be able to hold out till Warren shall have arrived. Two ships of the line already sent, which with the ships now in North America, the Lords of the Admiralty think sufficient. Details of the settlements on the discharge of troops, money matters, &c. A. & W. I. vol. 63, p. 247

Addition of same date. To assure the inhabitants of Nova Scotia, that there is no intention to remove them from their habitations, it being the King's resolution to protect all who remain in their duty and allegiance, in the quiet possession of their habitations and settlements and in the free exercise of their religion. Owing to the assistance that must have been rendered by the inhabitants to the Canadians and their Indians, before the New England troops could have been surprised at Minas, it was difficult to fix the terms of a proclamation, leaves it therefore to him (Shirley) to frame such a declaration as the circumstances of the Province might require. Victory of Anson over the fleet commanded by La Jonquière and capture of six ships. A considerable portion of the French squadron was bound for Canada with a great quantity of ammunition, warlike stores and arms for 10,000 men, to arm the inhabitants of Quebec and the Indians on the coast, to land them at Baye Verte in order to attack Nova Scotia, where they imagined, not without reason, they had many friends. Anson believes the season too far advanced for the French to make further attempts, but, if otherwise, he is to take measures with Knowles and Mascarene for defence. Warren preparing to take his station on the coast of France. The steps he is to take should any part of the French fleet have sailed for North America. It is not known what has become of the transports that escaped, but if they have got to Canada they can be of little help. Respecting the settlement of the expenses of Massachusetts in the expedition against Cape Breton. 268

May 30, Whitehall. Same to Knowles. Dispatches received; is sorry to learn of the sickness in the garrison (Louisbourg), but the King hopes that the season of the year will put a stop to it. The rest of the letter is substantially the same as the immediately preceding letter to Shirley, except the addition. 258

May 31, Annapolis Royal. Brown to Mascarene. Applies for a supply of provisions for his men on board the "Canterbury." B. M. add. 19069, fo. 315

1747.
e 1, apolis al.

Mascarene to Cobb. To land part of the men now on board of the "Ordnance Packet." fo. 32

e 7, mouth.

Wentworth to Secretary of State (Newcastle). Appointment of Huske, as naval officer. Sends journal of the General Assembly, also the proceedings of a special convention on receiving command to levy troops for the expedition against Canada. How the various grants for the garrison of Louisbourg, for the expedition against Canada, &c., are provided for, and the difficulty he had experienced in this matter. The detachment sent to Annapolis Royal and the troops from the other Colonies had secured the fort and overawed the French posted at Minas and Chignecto. Has been obliged to draw bills to meet the expenses of the two vessels employed to carry these troops. Return of a detachment sent into the French country, owing to the discontent of the men; the Assembly refused to pass an Act for punishing mutiny and desertion; the want of such an Act has prevented the employment of the troops for Canada. Report on the land fit for supplying masts, &c.
A. & W. I. vol. 63, p. 22

Enclosed. The resolution of the Assembly of New Hampshire, dated 28th May, concurred in by the Council on 2nd June, as to the means to be used for raising money to pay the expenses of the transports employed to carry troops to Annapolis Royal. 27

9, and 17, apolis al.

Orders of the day. B. M. add. 19069, fo. 32

e 28, sbourg.

Knowles to Secretary of State (Newcastle). Had returned on the 7th; had called at Annapolis which is still retained, but unless well guarded will not be so long, de Ramsay being at Baye Verte with 500 or 600 Canadians and Indians, and had built a fort at the very place he (Knowles) had intended to do, by which he is able to establish a magazine and can make incursions into any part of Acadia. He cannot be attacked by sea as no ship can come nearer than three or four leagues, owing to shoal water, so that an attack must be made by land. De Ramsay is well placed for getting supplies from Quebec, can easily make excursions to the island and will soon cut off the supply of fuel. The "Norwich" and "Canterbury" have returned from the West Indies, but it will be some time before they are ready for sea. Had issued order for stoppages as directed, and in a few hours the whole garrison mutinied; no leader could be discovered. After discussion he yielded till His Majesty's further pleasure could be known and the men returned to their duty. Defends his action at some length. Clothing and bedding required; state of the garrison sent. Calls attention to the serious loss he has sustained by the damage to his baggage; repeats his application for leave to go to the West Indies. Reports that a bomb and schooner sent to Gaspé are missing. A. & W. I. vol. 65, p. 169

Enclosed. State of the garrison at Louisbourg 27th June. 173

Report by Moses Bennet of French ships and forces being at Baye Verte. 174

e 30, apolis al.

Mascarene to Giddings. He is to proceed with the "Ordnance Packet" up the Bay to obtain intelligence; he is to consult with and assist Cobb. B. M. add. 19069, fo. 32

y 2, various.

Addresses (in French) by the inhabitants of Minas (29th May), of Annapolis Royal (undated); letters from the deputies of Minas (2nd July) and of Cobequid (27th June), followed by two proclamations by de Ramsay (in French) from Beaubassin (31st March and 24th April).
A. & W. I. vol. 595

y 7, apolis al.

Mascarene to Giddings. He is to proceed up the Bay, land the two Frenchmen and get fresh intelligence. B. M. add. 19069, fo. 32*b*

1747.

Another letter of same date follows; see also *supra* letter dated 30th June.

July 15, 17, Annapolis Royal. Orders of the day respecting work on the fortifications, and complaints of the men being underpaid. B. M. add. 19069, fo. 32*b*

July 19, Annapolis Royal. Notice that there is to be an increase of pay, in consequence of the depreciation of New England money. fo. 32*b*

The order for the increase was issued on the 21st, with another order allowing the price of rum and sprace beer to be also increased. 33*b*

August 3, 6, Annapolis Royal. Orders of the day. fo. 34

August 8, Annapolis Royal. Mascarene to Cobb. The men of Waldo's regiment may return to their homes, there being no probability of an invasion this year. fo. 34

August 11, Whitehall. Lords of Trade to Secretary of State (Newcastle.) Send copy of letter from Mascarene respecting attempts on Nova Scotia by the French from Canada, and the steps taken for the security of the province. B. T. N. S. vol. 33, p. 389

August 12, Annapolis Royal. Mascarene to Philipps, commissary. To deliver provisions for Waldo's men on board the "Packet." B. M. add. 19069, fo. 34*b*

On the same date Giddings received an order to embark the men (34*b*) and to victual them (35).

August —, Annapolis Royal. Orderly sergeants to visit the invalids in hospital. fo. 35*b*

August 29, Annapolis Royal. Mascarene to Winslow. Grants him leave of absence. fo. 35*b*

August 31, Annapolis Royal. Order respecting troops in barracks. 35*b*

September 1, Annapolis Royal. Order for the delivery of powder to Phillips's regiment. 36

September 16, Annapolis Royal. Mascarene to Phillips, commissary. To victual the "Ordinance Packet" for 85 men to be taken to New England. 36

September 17, Annapolis Royal. Same to Giddings. Orders respecting the men he is to take on board for New England. 36

September 25, Annapolis Royal. Orders of the day from September 18th to date in the margin. 36 36*b*

September 28, Annapolis Royal. Mascarene to Cowley. To refit the barracks for the reception of a reinforcement. 37

October 20, Boston. Shirley to Secretary of State (Newcastle.) In accordance with orders, he had published a declaration in the King's name to the French inhabitants of Nova Scotia, but had not included in it a clause relative to the free exercise of their religion, as that had always been allowed, and the promise to continue it might cause inconvenience, it being desirable to detach them from their connection with Canada and from the influence of the Bishop and priests of Quebec, who are the instruments used by the Governors of Canada to regain possession of Nova Scotia, of which he gives instances. No obligation was laid on the Crown of Great Britain by the treaty of Utrecht to allow the French inhabitants the exercise of the Roman Catholic religion. A. & W. I. vol. 63, p. 33

Enclosed. Two copies of the proclamation, in which a reward is offered for the arrest of Le Loutre and others. 36 37

1747.
vember 5, ston. Message by Shirley to the House of Representatives, address in reply and extract from letter from Newcastle relative to the raising and payment of troops for the intended expedition against Canada.
A. and W. I. vol. 63, p.p. 275, 274, 276.

vember 14, napolis yal. Mascarene to Shirley. Has delivered declaration to the deputies (Acadian) of Annapolis River. Has sent for the deputies of the upper part of the Bay. No Canadians yet arrived, though he is informed that there are designs in Canada to send men to winter in the province. Arrival of La Galissonière with a fleet; report among the French inhabitants that an expedition by sea and land is to be made against Annapolis. Has ordered barracks to be refitted for such troops as may be sent by him (Shirley.) 73.

vember 19, stle illiam. Shirley to Secretary Willard. In consequence of the riotous conduct of the Boston mob in regard to impressment and the refusal of the militia to act so as to preserve order, he had retired to Castle William, having no force to put an end to the tumults. A. & W. I. vol. 63, p. 50

Enclosed. Resolutions of the Assembly, concurred in by the Council, proclamation and other papers relating to the riot. One of them is a statement at a meeting of freeholders, that the rioters were "foreign "seamen, servants, negroes and other persons of mean and vile condi- "tion," and that the town abhorred all such criminal proceedings and would do the utmost to discountenance and suppress the same, &c.
53 to 57

vember 28, ston. Shirley and Knowles to Secretary of State. Information respecting the troops raised for the intended expedition, those of New York, Pennsylvania, Maryland and Virginia had been paid off. Representations as to the pay to be allowed, &c. 38

Enclosed. Correspondence on the subject of pay for the Provincial troops. 47 to 49

vember 30, uisbourg. Hopson to Secretary of State (Newcastle.) The command having devolved on him sends state of the garrison and other information. The peculiar situation of the garrison requires aids which others may not want. To protect vessels carrying wood and coal, which are brought from some distance, at least two good armed vessels are required. Other advantages arising from these vessels being available. A captain of the port is also required with a good boat's crew. Recommends Lieut. Samuel Rhodes, of Pepperrell's regiment, for the office. There is also wanted a large boat, manned by sailors, to attend the island battery, as, without this, the detachment there runs the risk of being starved, and several times the soldiers employed in the boats narrowly escaped drowning. There is on the establishment no town adjutant and no secretary for the Governor, for which latter duty Lieut. Edmond Bradshaw has been employed. The Judge Advocate is in a poor state and may die at any time, so that a deputation might be sent providing for such an event. Is continuing full pay to the troops, till he receives further orders, as also the allowance of rum and molasses. The inhabitants of St. Esprit, with their families, have left and are supposed to have gone to Baye Verte. Reports of the hostile movements of Canadians, Indians and five French ships from Quebec. If they attack the colliery there are no means of saving it. Report from Boston of a riot on account of impressment. A. & W. I. vol. 65, p. 175

Enclosed. State of the garrison on 26th November, signed by Hopson. 179

Another dated 20th January, 1747, signed by Knowles, which see, this being a duplicate. 180

cember 28, ston. Shirley to Secretary of State (Newcastle.) Has not yet been able to obtain and adjust the account of the expense for the late intended expedition against Canada. Remarks on Clinton's method of paying the

1747. southern troops. Has been unable to do as much this year as last, for the security of Nova Scotia, for reasons given. Mascarene's report of the landing of Canadian troops at Baye Verte and St. John Island promise a stronger attempt from Canada against Nova Scotia than has yet been made. His apprehension that the Province may fall next year. An attack on Crown Point would be a diversion in favour of Annapolis. If the Massachusetts Provincial frigate could be sent to Annapolis, it would countenance the garrison and awe the French. Keeping the Six Nation Indians and tribes dependent on them in hostilities against the French would greatly weaken them. The influence of Clinton and Colonel Johnson, Sir Peter Warren's nephew, over the Indians; Clinton's efforts hindered by the opposition in his government, proceeding "from an in-"clination to bring about a neutrality in this War between the Colony "of New York and the Enemy, which it is notorious they maintained "during the War in Queen Anne's Reign, for the sake of preserving a "trade with Canada and the French Indians to the great Hurt and Dis-"satisfaction of His Majesty's other Colonies." Sends extracts from Clinton's letters on the subject and an estimate of the expense of the intended expedition, which he calculates will be rather under than over £200,000 sterling. A. & W. I. vol. 63, p. 58

Enclosed. Correspondence relating to the payment of troops, &c. 64 to 78

No date. An undated document entitled: "A summary view of Gov. Clinton's "proceedings with regard to the troops raised in the Province of New "York, New Jersey, &c., on the intended expedition against the French "settlements in Canada." It is a memorial for the repayment of the money which he (Clinton) had advanced, and gives an account of the mutiny of the Provincial troops, on account of the failure to pay them for their services. 28

1748. January 19. Annapolis Royal. Orders of the day from the 6th October, 1747, to date in the margin. B. M. add. 19069, fo. 37*b* to 39

February 15. Annapolis Royal. Mascarene to Lords of Trade. Had informed them in August that the Canadians had retired to Canada. The arrival of three ships of war and transports at Quebec had, it was reported, encouraged them to a fresh attempt, but they had not yet troubled the Province. Agreement between Shirley and Knowles on measures for the defence of Nova Scotia. There being no Assembly, taxes cannot be imposed to meet the expenses for defence. Asks for a part of the Governor's salary for the support of the post of Commander-in-Chief. The good effect on the French inhabitants of Shirley's proclamation. A. & W. I. vol. 595

Enclosed in letter from Lords of Trade of 8th June.

February 29. Boston. Shirley to Hopson. Had received orders to erect a fort between Baye Verte and the Bay of Fundy, but could not decide until he knew whether he (Hopson) could send him 500 men in June to join the like number from New England; could not undertake the work with a smaller force. The probability of an attack from Canada. A. & W. I. vol. 65, p. 187

(Enclosed in Hopson's letter of 12th April.)

March 5. Philadelphia. Palmer, President of the Council of Pennsylvania, to the Governor of Cape Breton. The reports of an intended attack by the French; a voluntary militia has been raised for defence and batteries erected, all at private expense, the Assembly unfortunately consisting chiefly of Quakers. Had applied for cannon without success, and now appeals to him if he have any he can spare. The considerations urged for compliance with the request. A. & W. I. vol. 65, p. 188

(Enclosed in Hopson's letter of 12th April.)

March 8. Louisbourg. Hopson to Shirley. Sends depositions of French and Indians being on the island; if they had been they must have retired; has sent proper

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persons to cross the island for discovery. The importance and defenceless state of the colliery; asks for vessels to protect it and the vessels bringing coal to Louisbourg. A. & W. I. vol. 65, p. 192

arch 15, uisbourg. Minute of Council. That the detachment asked for by Shirley cannot be sent. 193

On the back of the minute is a statement of the strength of the garrison and the duties required, showing a total remaining for reliefs, picket guard, &c., of 367 men.

Depositions that a Frenchman named Joseph Gould stated that he was informed by two boys at Minas that they had left 300 French and 300 Indians on Cape Breton, who were to prevent the garrison from getting wood and coal for next season. A. & W. I. vol. 65, p. 194

(Letter to Shirley, the minute and depositions enclosed in Hopson's letter of 12th April).

arch 16, uisbourg. Hopson to Shirley. Reasons for not sending the 500 men asked for. A. & W. I. vol. 65, p. 190

(Enclosed in Hopson's letter of 12th April).

arch 18, napolis yal. Mascarene to How. For report and return of the remains of stores, &c. B. M. add. 19069, fo. 39

arch 19, napolis yal. Same to Cowley. To have a mould prepared and musket balls cast. 39*b*

arch 19, napolis yal. Same to Bennet of the "Massachusetts." A survey on provisions brought by his ships for the garrison has been ordered, but the surveyors cannot enter on their duties owing to his (Bennet's) delay. 39*b*

pril 12, uisbourg. Hopson to Secretary of State (Newcastle). Thanks for being appointed Governor of Cape Breton. Has not yet received his commission. Shall concert measures with Shirley for the defence of Nova Scotia. Sends copies of correspondence with Shirley relative to a demand for 500 men; his reasons for refusal, also depositions respecting a proposed attack by French and Indians on the island; can find no trace of an enemy on the island. The expense for supplies; shall send accounts and vouchers; trusts his bills will be honoured. The fuel laid in by Knowles short of the necessary supply; it is less by above one-third of what he gave a receipt for to Knowles. Had notwithstanding been obliged to issue larger supplies than usual owing to the severity of the weather and had besides made a money allowance to the officers as well as the non-commissioned officers and soldiers to lay in their own supply. By this means six weeks' fuel had been saved, otherwise it would have been completely exhausted in three weeks, causing great suffering. As the bomb "Cornet" cannot be ready before May, had written to Shirley for a ship to protect the colliery; there are no means of defence there, as the blockhouse from Boston, which should have arrived in time to be set up before winter, only reached two months ago; will send it to be set up at the colliery, as soon as one of the fuel vessels arrives; the great expense for fuel; rum and molasses promised to the men by Knowles; hopes soon to have orders on that head; states other expenses. A. & W. I. vol. 65, p. 183

Enclosed. Shirley to Hopson, 29th February, which see.

Palmer, President of the Council of Pennsylvania, to the Governor of Cape Breton, 5th March, which see.

Hopson to Shirley, 16th March, which see.

Same to the same, 8th March, which see.

Minutes of Council of Louisbourg, 15th March, which see, and to which depositions are attached.

State of the garrison of Louisbourg, 11th April.

A. & W. I. vol. 65, p. 195

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April 12, Louisbourg. Hopson to Newcastle. Apparently an unofficial letter returning thanks for being appointed Governor of Cape Breton. 196

April 15, Annapolis Royal. Orders of the day, from 21st March to date in the margin. B. M. add. 19069, fo. 40

April 16, Louisbourg. Hopson to Secretary of State (Newcastle). Sends copy of application from Pennsylvania, with which he cannot comply. (See March 5.) A. & W. I. vol. 65, p. 197

April 18, Boston. Shirley to the same. Transmits copy of answer by the deputies, forwarded by Mascarene, to the declaration of the King sent to the French inhabitants of Annapolis; the answer from Chignecto is not yet received. Sends report from Cowley, engineer, agreeing with him (Shirley) as to the danger of building a small fort between Baye Verte and the Bay of Fundy; Mascarene also agrees. Will as directed concert measures with Clinton for retaining the Six Nations in His Majesty's interest and has recommended that troops from the Colonies with the Indians should be employed to make incursions against the French of Canada and their Indians, till a general plan can be adopted by the several governments for offensive acts against the enemy on that side. This, among other things, will prevent the Six Nations from visiting Canada in spring, as was solicited by the French with the utmost artifice. Has succeeded in getting the approbation of New York and has urged the Assembly of Massachusetts to set a good example to the other Colonies by raising men. The first party of auxiliaries, Mascarene wrote, had arrived at Annapolis; the enemy is not stirring further than sending in emissaries among the inhabitants, but a considerable force was soon to be raised in Canada. The second party of auxiliaries was on the point of sailing for Nova Scotia. Recommends Lieut. Amherst, who carries this dispatch. A. & W. I. vol. 63, p. 110

Enclosed. Answer of the deputies of Annapolis, mentioned in letter. 111
Answer from the deputies of Grand Pré. 112
Answer from the deputies of Cobequid. 113
(Another copy at 116).
Answer from the deputies of the River les Canards. 114
Extract from Cowley's letter. 115
(Another copy at 119).

April 23, Annapolis Royal. Memorial from Nathaniel Donnell and William Miller, that they had fitted out the "Sea Flower" as a letter of marque for the advantage of the Province and to distress the enemy, and ask for encouragement and assistance. B. M. add. 19069, fo. 41

April 25, Annapolis Royal. Men ordered for the King's works; the rate of pay they are to receive. fo. 41b

April 26, Annapolis Royal. Mascarene to Donnell. As he is going on a trading voyage up the Bay, which is attended with risk, assistance will be given him. How he is to conduct his trade. 41b

Order of same date follows to Charles Morris, to afford the necessary assistance. 42

April 26, Annapolis Royal. Mascarene to Wing of the "Ordnance Packet." He is to convoy vessels to Minas, taking on board the officers and men required for the defence of his vessel. 42

April 26, Annapolis Royal. Same to Capt. Johnson, R.A. To deliver to Donnell a three-pounder, with 15 or 20 rounds, rammer, &c., to be returned or replaced. 42b

April 26, Annapolis Royal. Same to Cowley, engineer. Requests his opinion as to the propriety of purchasing the Spanish guns offered by Gerrish and Bavrill. 42b

April 28, Annapolis Royal. Cowley to Mascarene. Points out in detail the objections to purchase of the Spanish guns offered by Gerrish. 43

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1 29, apolis al.
Mascarene to How. To supply the "Ordnance Packet" with powder. 43*b*

3, apolis al.
Orders of the day. 43*b*, 44

3, apolis al.
Captain Johnson, R.A., to Mascarene. Applies in reference to extra pay for the men of the Royal Artillery. 44

3, apolis al.
Same to the same. Asks that a butt may be prepared for artillery practice. 44

3, apolis al.
Mascarene to Johnson. The reasonableness of the application for extra allowance to the men of the Royal Artillery, but is afraid there are difficulties. Shall order the butt to be erected. 44*b*

10, tehall.
Secretary of State (Bedford) to Shirley. The King approves of the declaration made to the French inhabitants of Nova Scotia. His Majesty has no intention of depriving them of the free exercise of their religion, but he approves of the omission in the declaration that they should continue to enjoy it. As the refusal of pay to the troops might have caused a mutiny, the allowance of six pence a day is sanctioned, but they cannot be allowed to retain their arms. A. & W. I. vol. 63, p. 273

17, apolis al.
Orders of the day, from 11th May, to date in the margin.
B. M. add. 19,069, fo. 45, 45*b*

23, apolis al.
Mascarene to Cowley. Sends result of court martial, held to ascertain the cause of the uneasiness of the men of the Royal Artillery. 45*b*
Report of the Court martial follows. 46

24, tehall.
Lords of Trade to Mascarene. Dispatches of 12th November, 1746, and 12th May, 1747, received; copy of the latter laid before Secretary of State (Newcastle). Commend his prudent measures against the attacks of the enemy. Attention should be directed to the future security of Nova Scotia: his representations shall have due weight. Send copy of instructions to Philipps in 1729 (these are dated 16th July, 1728, at page 94 of this volume) and heads of inquiry, sent him the same year, 9th December, 1729. (There is no account of heads of inquiry sent to Philipps on that date amongst the papers relating to Nova Scotia. Heads were sent to the Admiralty on the 19th May, 1729 (A. & W. I. vol. 33, p. 144), and among the papers "Plantations General," volume 39, p. 152, is a circular to all the governors, including Philipps, dated 9th December, 1729, the queries beginning at p. 153). Answer to be sent on all the points mentioned in the instructions and heads. Are sorry to find that the Canadians have had fresh encouragement to attack Nova Scotia, but as preliminaries have been signed at Aix-la-Chapelle by all the powers but Spain, it is hoped that an end will soon be put to the troubles. A postscript states that His Catholic Majesty had acceded to the preliminaries. B. T. N. S. vol. 33, p. 390
(A copy of this letter is in A. & W. I. vol. 595.)

3, abourg.
Hopson to————. Capture on the 15th (May?) of the schooner "Glover" and sloop "Ellinwood" at the colliery, with seven shallops used for loading the vessels with coal; seven unarmed soldiers were also surprised. The attacking party was composed of 120 French and Indians. On the 16th, Lieut. Rhodes, with a party of soldiers and artificers, who had begun erecting a blockhouse, was summoned to surrender, but having refused the enemy went off, carrying with them the vessels, shallops, Lieut. Glazier, seven soldiers and all the French from Bras d'Or and Indienne. Cruisers have seen nothing of the enemy. A. & W. I. vol. 65, p. 198

1748.
June 8, Whitehall. Lords of Trade to Secretary of State (Bedford). Send copy of letter from Mascarene of 15th February, with state of affairs in Nova Scotia, the designs of the enemy, expenses incurred for defence and his having no allowance for his support. A. & W. I. vol. 595

Enclosed. Mascarene's letter of 15th February, 1748, which see.

(There is a copy of the above letter from Lords of Trade in B. T. N. S. vol. 33, p. 393).

June 15, Annapolis Royal. Mascarene to Secretary of State. Has taken command as Lieut.-Governor and Commander-in-Chief in the absence of Philipps. No vessels come here direct from Europe, but news comes through New England. Had, therefore, asked Shirley to communicate what he (Mascarene) wrote, as he was the nearest to whom to apply for assistance. The attempts of the French have not been so successful as they expected, and they have been able to entice into open rebellion only a few of the inhabitants, who were all of French extraction and papists. After three attacks with a superior force, they had at last to retire to Quebec. This fort (Annapolis Royal) is the only place in the province in which the British have a footing. It was in a ruinous condition, but is now repaired. Arrival of H.M.S. "Port Mahon"; Shirley is sending men from Massachusetts Bay. The Canadians are projecting a new attack, expecting ships from France. No taxes having been laid on the inhabitants there is no fund for obtaining intelligence, so that he has been obliged to defray this out of his personal pay; his difficulties in consequence of these and other expenses. A. & W. I. vol. 31, p. 4

(A duplicate is at p. 6).

July 2, Boston. Shirley to Secretary of State (Bedford). Proclamation received, prohibiting commerce between His Majesty's subjects and those of the French King, in consequence of the declaration of war; has taken measures to enforce it. The violation of it in other colonies, under colour of a flag of truce. Refers to previous letters to Newcastle on this and other subjects. His difficulty in regard to the accounts of the other colonies for the expenses of the intended expedition against Canada. The frugality he has himself observed. Long statement respecting the troops raised in other colonies. A. & W. I. vol. 63, p. 119

(Duplicate at p. 125).

July 12, Louisbourg. Hopson to the same. Sends state of the garrison and account of the attack on the colliery. Recommends Lieut. Rhodes for his gallant conduct. Had since had the colliery protected by the bomb "Comet" (Cornet?) and armed vessels, but is apprehensive it may be cut off by some of the enemy's cruisers. Had the colliery been taken, the garrison would have been in a bad condition. The necessity for proper armed vessels. A. & W. I. vol. 65, p. 129

Enclosed. State of the garrison, 11th July. 201

Account by Lieut. Rhodes of the attack on the colliery. 202

September 8, Annapolis Royal. Mascarene to Secretary of State. Has received letters with proclamations of the cessation of arms, &c., which have been published. H.M.S. "Port Mahon" has gone up to Minas with two armed schooners to convoy a sloop sent by Shirley with effects to settle the expenses of the Newfoundland troops, quartered there in the winter of 1746. A faction there, encourged by the French in Canada, are assisting deserting soldiers and refuse to pay obedience to orders. The force sent should put a stop to this and enable the well inclined to resume a proper influence over the rest. It will require time and good care to bring the French inhabitants to be good subjects. A. & W. I. vol. 31, p. 5.

(A duplicate at p. 7).

October 17, Annapolis Royal. Mascarene to Lords of Trade. Account of Nova Scotia, in answer to queries in letter of 24th May. From the necessity to provide for the defence of the Province and to people it with good English subjects, had

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lost no time in answering. Had the French plans been successful when they held Louisbourg, they would have added 4,000 or 5,000 French inhabitants fit to bear arms, besides Indians, and in less than a year could have overrun New England. Since the taking of Louisbourg attempts have been made by the Canadians; the treaty of peace will end these, but as Louisbourg is to be restored, the French will be in the same position as at the beginning of the war, and if an opportunity offers, will renew their projects and from experience take better measures to make them successful; by land New England is open, but artillery cannot be brought a great way to annoy it; with Louisbourg, however, in possession of the French, all warlike appliances could be sent by sea. Hence the necessity to put the Province in a better state of defence. The inconvenience of there being so many French inhabitants, who cannot be attached to British interests; to balance this dead weight, a number of British families might be settled on the Eastern coast and the place fortified; the people could be employed in the fisheries; the position would also bring the French inhabitants into close intercourse with proposed settlement. Canso should be fortified; it is claimed by the French, but this and other claims on territories of Nova Scotia should be settled. Chignecto is a large settlement, whence the French inhabitants communicate with the Indians and carry on the fur trade; it is ascertained by Morris to be about 18 miles from Baye Verte; he and Gorham consider that bay to be a proper place for a fort to hold 200 men; another should be erected at Minas to keep order; in the meantime, the two vessels and Gorham's rangers should be retained for this purpose, and to enable Morris to go on with his survey. Annapolis should be kept up for the resort of shipping, &c. So long as the French missionaries are allowed amongst the inhabitants little progress can be made in turning them into good subjects. The sailing of two vessels up the bay with Gorham's detachment had a good effect in restraining the factious. Trial of men who had been openly engaged in the enemy's interest; difficulty of obtaining convictions. A. & W. I. vol. 595

(Copy of this letter was sent by the Lords of Trade to the Secretary of State on the 13th January, 1749.

October 25, Boston. Shirley to Secretary of State (Bedford). Dispatches received. The order for the Colonial troops to return their arms on being disbanded had already been complied with; the price of any retained was deducted from the pay, but those lost on actual service were not charged for. Part of the arms has been supplied to the soldiers sent for the defence of Nova Scotia; the rest are stored in Castle William. Will transmit in a short time the accounts for the intended expedition against Canada. A. & W. I. vol. 63, p. 131.

October 28, Boston. Same to the same. Encloses extract from a letter from La Galissonière to Clinton, to show how much at heart the French Governor had the design to draw the Sachems of the Six Nations to Canada, under the pretext of treating for the redemption of prisoners. 132

Enclosed. Extract from La Galissonnière's letter. 133

October 28, Louisbourg. Hopson to Secretary of State (Bedford.) Had consulted the field officers on the question of allowing, or not, the rum and molasses promised to the troops by Knowles. They were unanimously of opinion that it would be very prejudicial to withdraw the allowance or charge stoppages. A. & W. I. vol. 65, p. 207.

Enclosed. Proceedings of the Council of field officers. 208.

State of the garrison, 13th October. 209.

October 29, Annapolis Royal. Mascarene to Secretary of State. Return of the vessels sent up the bay. The "Port Mahon" ordered to Louisbourg by Rear Admiral Watson. The success of the little expedition in dispersing the French faction and bringing the inhabitants to obedience, besides obtaining a better know-

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ledge than hitherto of that part of the province. Transmits answers to queries sent to Philipps in 1729. Arrival of vessels with warlike and other stores from Louisbourg. A. & W. I. vol. 31, p. 8.

October 30, Louisbourg. Hopson to the Secretary of State. Had asked his Grace's protection for Louis Duquet, obliged to go to England. Some officers of the garrison and others were seized in August last, by a party of French and Indians from Canada, commanded by Marin fils, who had come on the island to destroy the colliery, etc. He had the fullest assurance of peace having been proclaimed, but notwithstanding he carried off the prisoners. Had sent twice in search of him. Captain Blayney, who went to Baye Verte, returned with all the prisoners, except George Miers and Laurent Solé, who are still detained. La Galissonnière had returned Lieut. Glazier, carried off from the Bras d'Or. Parties landed on the island. Had tried, but was unable, to communicate with Admiral Watson. Will not keep the bomb "Comet" (or Cornet) longer on this dangerous coast.
A. & W. I. vol. 65, p. 210.

Enclosed. Oath (in Latin) by the prisoners, that the proclamation for the cessation of hostilities had been issued at Louisbourg on the 11th of August. 212.

Complaint of ill treatment committed on the officers carried off, with a list of the articles of which they had been plundered. 213.

Hopson to Marin fils, complaining of his having carried off several officers prisoners in violation of the treaty of peace and of his having allowed them to be plundered and ill used. 215.

Marin fils to Hopson (in French.) Denies that he knew of the suspension of arms, except from hearsay, and the Indians would not listen to such a plea for refraining from carrying out the General's orders. The Indians being double the number of the French, he could only secure the lives of the prisoners and assure himself of the truth that the cessation of arms had been proclaimed. He had the help of a missionary to restrain the Indians. After ascertaining from the officers (who, however, bore no sign of their rank) that the proclamation had actually been issued, he was compelled to temporise with the Indians in order to save the lives of the officers, as he had to do in the case of Meyer, who had incurred the deadly enmity of the Indians. As to Laurent Solé, who called himself a Spaniard, he let him go at Baye Verte and had not seen him since, so he may return if he likes. Denies that he had violated any law of nations in what he had done, defending himself at great length. 217.

Maillard, priest, to Hopson (in French), defending the action of Marin. 219

La Galissonnière to the same (in French). Has only heard unofficially of the suspension of arms, but returns the prisoners, to be exchanged for those in Louisbourg. Has sent detachments to keep the Indians quiet and prepare wood, &c., for next year, as by the treaty Louisbourg, &c., are to be restored to France. 221

Hopson to the officer commanding the French party at Cape Breton. Is surprised that the party should have landed without obtaining leave. Desires that either he or one of his officers should apply personally for that purpose. 223

November 4, Boston. Shirley to Secretary of State (Bedford). Applies for leave of absence to have his public accounts settled in London and his private affairs attended to. A. & W. I. vol. 63, p. 134

November 6, Louisbourg. Hopson to the same. Recapitulates contents of previous letter; sends copy of the letter from the officer commanding the French party on the island. Stores and material shipped to Annapolis Royal, by the Respective Officers. A. & W. I. vol. 65, p. 224

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Enclosed. Decorex (commanding the French detachment) to Hopson. That he came here by order of the General to restrain the Indians, of which he (Hopson) had been informed. If he can be of any service, it is only necessary that he should be informed of it. 225

Order from Waldo and other officers to pay Marin the cost of their ransom from the Indians. 226

vember 24, napolis val. Petition by John Gorham on behalf of himself and others, for a township on the Eastern coast of Nova Scotia, out of the unappropriated lands, on terms set out. A. & W. I. vol. 31, p. 16

ember 10, ton. Shirley to Secretary of State (Bedford). Respecting the accounts for the intended expedition against Canada; the obstacles he had met with in collecting them and the vouchers, &c., with remarks.
A. & W. I. vol. 63, p. 135

(Duplicate at p. 138).

mber 20, ton. Same to the same. The consequences that would follow the payment to Rhode Island of the expenses incurred for the proposed expedition against Canada, which it was intended should be met by the Colonies. 141

(Duplicate at p. 143).

ember 21, itehall. Lords of Trade to Mascarene. Letter received. Trust that H.M.S. "Mahon" going to Minas and the supplies sent by Shirley will have the good effects he anticipates. B. T. N. S. vol. 33, p. 394

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uary 10, ton. Waldo to Newcastle. Complains of the treatment he received from Shirley, after his (Waldo's) return from Louisbourg.
A. & W. I. vol. 63, p. 81

uary 10, ton. Shirley to the same. Respecting the accounts of the Provincial troops raised for the intended expedition against Canada. 84

ember 13, itehall. Lords of Trade to Secretary of State (Bedford). Send copy of letter from Mascarene, dated 17th October, on the present state of Nova Scotia. A. & W. I. vol. 595

Enclosed. Letter of 17th October, which see.

Copy of letter from Lords of Trade is in B. T. N. S. vol. 33, p. 395

uary 15. rec. La Galissonnière to Mascarene (in French). As soon as he had received information of the cessation of arms, he had ceased all hostile movements, and had withdrawn the detachments, although he might have retained that at Beaubassin and Baye Verte till he knew the conditions of peace. Prisoners taken at Louisbourg released and peace restored, but objected to by the Indians, who feared it might not be observed towards them. Complains that the French missionary was driven out of Minas and that the houses of inhabitants were burned there; that new submissions had been required from the inhabitants of Beaubassin and Baye Verte and that Gorham had demanded the same from the inhabitants on the St. John; complains also of Gorham's conduct towards the Indians on the lower part of the St. John, which led them to ask leave to renew the war. Further, Gorham had taken two Indians prisoners, contrary to the law of nations. Demands the release of these Indians; to make no change in religious matters; to forbid Gorham to solicit or threaten the inhabitants of St. John River or any other dependency of Canada to make submission; to know whether the Abenakis are to be included in the peace. This latter is of importance for the peace of the frontiers of New England, as they continually press to be allowed to continue the war. An answer can be sent by the missionaries, who should be informed of the determination regarding the Indians, which might pacify them.
A. & W. I. vol. 595

(Copy enclosed in letter of the Lords of Trade dated 14th July, 1749. See also F. 74, 75, 76. B. T. N. S. vol. 9.)

1749.
January 16, Boston. Shirley to Secretary of State (Bedford). Further concerning the accounts for the proposed expedition against Canada. A. & W. I. vol. 63, p. 145

Enclosed. Proclamation, dated 2nd June, 1746, for raising troops to be sent against Canada. 146

January 31, Boston. Shirley to Secretary of State (Bedford). The Assembly of Massachusetts has passed an Act for putting an end to the paper currency of the Province, upon the arrival of the money granted by Parliament for the reimbursement of their expenses for taking and securing Cape Breton. How the Act is to be carried out. 147

February 6, Boston. Same to the same. On the cessation of arms had sent a vessel to Annapolis for the six New England companies, unless Mascarene thought they should remain, and wrote that the rest of the troops, after the first vessel was loaded, should be sent in vessels from Annapolis. Had received orders in May, 1747, to discharge the American troops raised for the intended expedition, except such as were necessary for the protection of Nova Scotia. For reasons given, had now recalled the troops, who are safe back in New England. The expense of transport increased by the refusal of the master of an Ordnance vessel to take any of the troops, although she was going to Boston unloaded to be laid up there for the winter. Sends correspondence between Mascarene and the officers of Ordnance on the subject. 88

The correspondence follows.

(A duplicate copy of this correspondence at p. 92. Letter dated 18th, p. 98, is a duplicate of the above, dated 6th February).

February 10, Annapolis Royal. Petition (in French) of Rev. M. Desenclaves and the French inhabitants, endorsed:—"Petition of the French missionary priests His "Majesty's French subjects of Annapolis Royal in regard to their mass "house." The petition is for a church and presbytery, which had been burned down. The petition sets out in detail the description of the buildings that had been burned, some of them new, together with the furniture and other effects. A. & W. I. vol. 31, p. 17

February 10, Annapolis Royal. Account of the losses sustained at Canso by Edward How at the hands of the enemy in the year 1744. The valuations are given in full; the total amount is £1,263. A. & W. I. vol. 63, p. 45

February 13, Boston. Shirley to Secretary of State (Bedford). Further respecting the settling of the accounts of the Provincial troops raised for the intended expedition against Canada. 88

February 14, Annapolis Royal. Mascarene to Lords of Trade. To resist the first attack by the French on the fort, it was necessary to demolish buildings giving them shelter, which there was not time to value; sends petition from the owners for compensation. The place of worship of the inhabitants was also destroyed, for which they ask compensation. Sends memorial from Capt. John Graham (Gorham?) for a tract of land for New England settlers. F. 68, B. T. N. S. vol. 2

Enclosed. Estimate of the losses sustained by British subjects in Annapolis Royal from the French and Indians during the war. The documents under this head are: "Estimate of the losses of Fort Major "Phipps, £200; W. Shirreff, £70; Major Otho Hamilton, £130; Edward "How, £15; Anne Skene, for her father, for house pulled down; Thomas "Hyde, £34; Walter Ross, £18.10s., Report on claims. Statement of "losses; Daniel McQueen, £24; Ann Cosby, £28.6s., "Minutes of Council "&c., respecting the pulling down of houses." "Losses: John Har- "greave, £140; John Easson, £30; John Davis, £25; Henry James, "£100; Samuel Kimpland, £45; W. Flortay, £69.10s.; James Wich- "church, £45.10s.; James Roach, £30.10s.; John Power, £60; D. M. "Lister, £46; John Hansfold, £56.18s.; W. Bermingham, £12.16s.; "Michael Nicholas, £61; John Johnson, £17."

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Memorial and minutes of Council held in January on the subject of the losses. F. 69, B. T. N. S. vol. 9

Additional documents on the same subject F. 70 to F. 72

February 18, Boston. Shirley to Secretary of State (Bedford). Sends deposition by Jean d'Orange a deserter from the French at Fort Frederick. He (Shirley) had already represented the consequences of this fort being erected; can now speak from experience of the mischief done. If allowed to remain and to make a populous settlement, the French will not merely curb, they will reduce the English settlements. One effect will be to detach the Six Nations. Asks for instructions respecting the boundary, and how he is to act if the Canadians attempt to settle the country about Crown Point. Will apply to the Governors of the other Provinces. He and Clinton had jointly written on the necessity of building a strong fort as near Crown Point as possible, to prevent the French, if allowed to retain Fort Frederic, from making additional encroachments and to protect the settlements. The difficulty of getting the Colonies to take united action. Even when they had regular troops, paid by the King, Sir Peter Warren and he could not get them to unite against Fort Frederic. Besides, the lands on which the French are likely to settle has lately been adjudged to New Hampshire, which is far from being able to do anything to secure them. The great difficulties in the way of getting all the Provinces to unite to build a fort; how the difficulties could be overcome. To leave the French in possession of Crown Point would affect the boundaries of Nova Scotia. The claim for the island of Canso should also be kept up, otherwise the fishery would be injuriously affected. For want of a ship of war visiting the St. Lawrence, the French have been able to carry on fishing at Gaspé and even to cut timber on the peninsula of Nova Scotia, within about five leagues of the Gut of Canso, where about 300 Canadian families settled, who do not acknowledge the sovereignty of Great Britain. A plan of the Bay of Fundy, taken by Captain Morris, is now sent. (The plan is among B. T. Maps, vol. 9, No. 38). The propriety of introducing English settlements among the French, to wean them from their dependence on Canada. How these settlements could be arranged and made defensible. Long details respecting the proposed settlements, with reference to the plans, &c. A. & W. I. vol. 63, p. 102

Deposition of Jean d'Orange, a deserter from the French at Fort Frederic. 97

Memorandum by Morris, of "What places in the Province of Nova "Scotia a number of Protestants may speedily settle themselves in such "a manner as they may be able to protect themselves against a Party "of Indians and support themselves." 106

ebruary 27, oston. Shirley to Secretary of State (Bedford). Sends plan of a civil government for the Province of Nova Scotia, with remarks. 107

"General heads of a plan for civil government proposed for His "Majesty's Province of Nova Scotia." 93

larch 3, oston. Shirley to Secretary of State (Bedford). Sends estimate of the cost of settling in Nova Scotia respectively, 2,000 families from Europe, the same number from the Northern Colonies, and an equal number of soldiers at the end of their service. This will enable a judgment to be formed of the whole probable expense, and as to the surest way, of speedily drawing a number of settlers together for the districts of Annapolis river, Minas and Chignecto, the most difficult to settle and the most essential for securing possession of the Province. The French King, it is said, allows new settlers in exposed parts of his territories in North America provisions for three years, seed corn and the use of cattle for tillage; so that his proposal for one year's allowance is moderate. The hindrance a quit rent of a penny an acre, to be raised at

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pleasure to two pence, would be to the settlement of the country. To charge this upon improved land would be an ease, and, besides, such a fund for payment of officials would render the Crown to that extent independent of the Assemblies, but it should be maturely considered if a quit rent as proposed would not obstruct settlement, which is most important. The reserves for masts, &c., should be surveyed and set off as speedily as possible. Commissioners should be appointed to investigate the titles of the French inhabitants: they have no right to any lands except such as they possessed at the capitulation. Where they have cleared new lands it might be a hardship to remove them, but that can't be the case with marsh lands which require no labour. He does not recommend that they should be dispossessed of any lands without an equivalent, but power should be given to remove to another part of the Province those who have for some years been in correspondence with the King's enemies, on assigning them an equivalent. Suggests that the tenure of the French inhabitants should be a knights' service; its advantages if it can be done in accordance with the capitulation and the treaty of Utrecht, neither of which he had before him.

A. & W. I. vol. 63, p. 108

Enclosed. Estimate of the cost of settling 2,000 families from Europe, £78,900.

The same from the Northern Colonies, £48,900.

2,000 soldiers at the end of their service, £3,900.

So that at a cost of £131,700 for ten years 6,000 families could be settled in Nova Scotia, the Province secured against the inroads of the French, the fishing not only secured but improved and the principal of the expense repaid in a few years by the increase of trade. 109

March 19, Whitehall. Lords of Trade to Secretary of State (Bedford). To remove the doubt if the dismissed sea officers will be entitled to their half pay, if they settle in Nova Scotia. B. T. N. S. vol. 33, p. 396

March 22. Memorial (undated) from Samuel Moore, Colonel of a New Hampshire regiment, for the pay still due himself and officers, and that he be put on half pay. A. & W. I. vol. 530, p. 42

(Enclosed in Secretary of State's letter, dated as in margin).

March 24, Whitehall. Lords of Trade to Secretary of State (Bedford). To desire the Admiralty to provide bedding for 3,000 persons to be settled in Nova Scotia and to fit the vessels with Sutton's air pipes, to keep them in health during the voyage. A. & W. I. vol 595

(A duplicate is in B. T. N. S. vol. 33, p. 397.)

March 25, Whitehall. Same to Admiralty. Complain that ships to transport settlers have been loaded with goods belonging to private persons.

B. T. N. S. vol. 33, p. 398

April 6, Whitehall. Same to Society for the Propagation of the Gospel. The persons going to Nova Scotia are to be settled in six townships, in each of which a spot is to be set apart for a church and 400 acres granted in perpetuity to a minister and his successors, free of quit rent, and 200 to a schoolmaster. The society is asked to name a minister and schoolmaster for each township, to whom, it is hoped, the society will give encouragement. Each minister is besides, to have 200 acres and each schoolmaster 100 acres, for themselves and heirs, with 30 acres more for each person in their families; they are to be subsisted on the passage and for twelve months afterwards, to have arms, &c., materials for husbandry, building houses, &c. The number of French Roman Catholics in Nova Scotia; some of the ministers chosen should be able to speak French. 399

April 6, Whitehall. Same to Admiralty. Sufficient tonnage being taken up for emigrants, no more to be engaged till further orders. From want of time, only eight ships to be fitted with Sutton's air pipes, the other four to have

749. ventilators. The Commissioners of the navy to appoint a transport agent to proceed with the settlers and return with the troops; he is to see that on arrival in Nova Scotia, the bedding be landed for the use of the settlers. (The tonnage of the vessels was for that period unusually large, one was 600, one 560, two 550, one 450, the smallest, one vessel, being 250 tons). B. T. N. S. vol. 33, 404

7, Lords of Trade to Secretary of State (Bedford). A similar letter to shall. that written to the Admiralty. 407

(A duplicate is in A. & W. I. vol. 595.)

8, Same to Hawkins, sergeant surgeon. To call a board to examine shall. surgeons, whose names are entered to go to Nova Scotia. 409

12, Same to the Mayor of Liverpool. To send account by each post of the shall. number of people for Nova Scotia, so that arrangements may be made for their transport. 410

13, Same to Secretary of State (Bedford). Respecting the transports and shall. the arrangements to be made for settlers and recruits. 415

20, Same to the same. The preparations for embarking settlers almost shall. completed. 411

(A duplicate in A. & W. I. vol. 595.)

22, Same to Board of Ordnance. Explain the nature of the arms asked shall. for in the requisition for Nova Scotia. 413

24, Shirley to Secretary of State (Bedford). Message sent to the Assembly n. and the answer respecting the encroachments of the French at Crown Point. Had already sent his views on these encroachments and the exposed position of the colonies to the Eastward till Nova Scotia shall be fortified. The possession of that Province will render Canada and Cape Breton of not one hundredth part of the value to the French as they would be if they held it and would give His Majesty power to take these places when it was thought proper to reduce them. The necessity for a strong fort being erected near Crown Point, but does not agree that it should be maintained at His Majesty's expense, that should be done at the joint expense of the colonies, except Nova Scotia and Newfoundland; it should be erected by His Majesty. A. & W. I. vol. 63, p. 150

Enclosed. Answer of the Assembly to Shirley, agreeing in his representations. 151.

25, Mascarene to LaGalissonnière. Had received his letter of 15th Jan- polis uary that he had withdrawn his troops. His (Mascarene's) troops being on their own territory did not need to be withdrawn, but had orders to act only on the defensive. The French troops were withdrawn before the preliminary articles were signed and had no right to enter the province after the suspension of arms, as had been done by Marin, who had surprised and carried off several officers and men and retained deserter. As he had always regarded the territory and all its inhabitants subject to the King, he had sent to Minas and Chignecto to establish good order. The missionaries allowed to remain in the province have been obliged to come to Annapolis Royal for permission; those misbehaving have been ordered out of the territory; the others have been suffered to remain unmolested. Those of the inhabitants who have suffered, have been punished for treasonable practices. What are called the new submissions were for the purpose of giving an opportunity of clearing the inhabitants from the charge of having been connected with rebellion. The inhabitants of the River St. John took the oath of fidelity many years ago; when Gorham went there he had orders to commit no hostility unless violence were offered. When there he was fired upon when he advanced in a friendly manner. The order for the Indians to treat for peace at Annapolis was according to the usual practice. The treaty of peace is notified and it is not for those in this part of the

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world to trouble the friendship which had been re-established. He shall give no occasion for any breach of the good understanding but shall relinquish none of the King's rights. A. &. W. I. vol. 595

(Enclosed in letter of Lords of Trade, 14th July, 1749).

April 26, Whitehall. Lords of Trade to Secretary of State (Bedford). In consequence of the uneasiness of the settlers embarked for Nova Scotia, a full allowance of provisions for three months is to be put on board the vessels. B. T. N. S. vol. 33, p. 419

(A duplicate in A. & W. I. vol. 595).

April 28, Whitehall. Same to Attorney and Solicitor General. Send for opinion, the form of a grant of lands to settlers in Nova Scotia. 420

April 28, Annapolis Royal. Mascarene to Lords of Trade. Had returned to New England the six companies which had been employed for the defence of Nova Scotia. The necessity for settling the boundaries between France and Great Britain, owing to the constant encroachments of the French; encloses copy of letter from the Governor of Canada as proof of this necessity. Sends copy of his answer to LaGalissonniére; had sent copies of the correspondence to Shirley. F. 14, B. T. N. S. vol. 9

Enclosed. Letter from Gallissonnière, 15th January, which see, answer 25th April, which see.

(Duplicates enclosed in Lords of Trade, 14th July, A. & W. I. vol. 595).

A similar letter, of same date, was written to the Secretary of State, with copies of the correspondence with LaGallissonnière. A. & W. I. vol. 31, p. 46

April 29, Whitehall. Lords of Trade to Secretary of State (Bedford). Transmit draught of commission and instructions for Cornwallis, appointed Governor of Nova Scotia. B. T. N. S. vol. 33, p. 423

(A duplicate of this letter is in A. & W. I. vol. 595).

Enclosed. Representation to the King, respecting the commission. B. T. N. S. vol. 33, p. 424

The commission. 427

The instructions are in B. T. N. S. vol. 34, p. 1. They are very long and minute. In the 20th article, it is ordered that the emigrants be divided thus: at Chebucto, 1,200; Menis 500; LaHave, 300; Whitehead, 500; Baye Verte, 500.

The instructions respecting trade and navigation are in the same volume, p. 391.

April 29, Whitehall. Lords of Trade to Secretary of State (Bedford). Tonnage for only 2,572 persons having been taken up and nearly 200 more being at Liverpool, Hardman has offered the ship "Sarah" to carry them. Asks that orders be given to take up that ship and to victual her for three months. A. &. W. I. vol. 595

May 1, Whitehall. Same to the same. Complain that five ships are still unprovided with blankets, and that no notice has been sent of the engagement of one of Capt. Cook's ships; orders given that she is to fall down to Long Reach to receive her passengers. B. T. N. S. vol. 33, p. 120

May 2, St. James's. Order in Council approving of the commission, &c., to Edward Cornwallis, Governor of Nova Scotia, or Acadia. F. 77, B. T. N. S. vol. 9

May 2, Whitehall. Lords of Trade to Hughes, naval commissioner at Portsmouth. To take steps to have the persons shipped who entered their names with him. B. T. N. S. vol. 33, p. 122

May 5, Boston. Shirley to Secretary of State (Bedford). Respecting the accounts for the intended expedition against Canada. A. & W. I. vol. 63, p. 152

Enclosed. Documents respecting the accounts of New Hampshire for the expedition. 153 to 173

1749.
y 5, Lords of Trade to Board of Ordnance. The engineer and other officers for Nova Scotia are to be accommodated on board the "Baltimore." Their Lordships shall give orders that all Ordnance officers sent by the Board shall have all the encouragements, &c., on arrival that are allowed to other persons of the same rank. B. T. N. S. vol. 34, p. 123

y 6, Same to Lascelles, R.E. That orders have been given to accommodate the four officers and ten matrosses on board the "Baltimore." 126

y 7, Warrant and instructions from the Lords of Trade to Ezekiel Gilman, sent to build saw-mills and other works in Nova Scotia. 124

y 9, Shirley to Secretary of State (Bedford). Has received copy of the definitive treaty of peace concluded at Aix-la-Chapelle, which he shall have duly published. A. &. W. I. vol. 63, p. 174

y 9, Same to LaGalissonnière. In answer to his demand respecting the Abenaki Indians, they with the French inhabitants on St. John River are on British territory and subject to the King. Emissaries sent to Annapolis Royal, who proved to be spies, had returned with a band of Indians led by LeLoutre, who surprised and killed as many as they caught without the fort, destroyed cattle, burned houses and committed hostilities till the arrival of troops. For this perfidious conduct war was declared against them and they shall not be admitted to peace till they make complete submission and satisfaction. In regard to his threats, if he think fit to be a party to an Indian war, has no doubt that His Majesty's subjects can make just reprisals on Canada. The conduct of the missionaries at Minas, expelled for treasonable practices, deserved a much severer punishment than the expulsion, for which he (Galissonnière) calls Mascarene to account. His claim to the right of sending missionaries from France to reside among His Majesty's subjects in Nova Scotia and his forbidding the Governor to make any alteration is extraordinary; and the letter of the Bishop of Quebec of his intention to make a visitation of Nova Scotia as part of his cure of souls, shows an attempt which cannot be admitted. His interference with respect to His Majesty's subjects in Nova Scotia is still more surprising. After these pretensions it is less wonderful that he should encroach on the limits of the Province. A. & W. I. vol. 595

(Enclosed in letter of Lords of Trade 13th July. See also Gg. 25, 26, B. T. N. S. Massachusetts, vol. 73).

10, Lords of Trade to Kilby. That he is to pay Pownall the amount necessary to discharge the incidental expenses of extra clerks, &c., in relation to the embarkation of the settlers for Nova Scotia. B. T. N. S. vol. 34, p. 127

10, Shirley to Lords of Trade. Has received from Mascarene copy of letter to him from LaGalissonnière and his answer. Had written to La Galissonnière more fully on some points than Mascarene had done. It is the first time a French Governor has taken the part of the Indians and offered to support them in their acts of hostility. In treaties of peace between powers in Europe, the Indians have never been included, but have made separate treaties with the King's Governors. LaGalissonnière's letter shows the necessity of having the boundaries settled, as the French seem determined to obstruct the settlement of Nova Scotia, especially Minas and Chignecto, which must absolutely be secured. A settlement there will be no slight work and only to be held by a regular fort, strongly garrisoned, upon the isthmus between Bay Verte and Beaubassin. A. & W. I. vol. 595

(Enclosed in letter from the Lords of Trade, 14th July, 1749).

11, Lords of Trade to Secretary of State (Bedford). Ask that the Admiralty be desired to send orders to the ship at Liverpool to proceed to Chebucto, as soon as she shall have taken her passengers on board. B. T. N. S. vol. 34, p. 128

1749.
May 15, Portsmouth. Lords of Trade to Cornwallis. Particulars sent of the number of settlers for Nova Scotia. Mutiny on board the "Merry Jack;" the passengers transferred to other vessels. Have sent commission and other papers by Capt. Rouse, with plans of Nova Scotia by Durell, (these were prepared by Durell in 1736 and are among the Board of Trade maps, vol. 9, Nos. 2 and 3,) and passenger list, so far as possible. He is to grant land to the settlers in proportion to their families and rank. Send also copies of declaration he is to make to the French inhabitants, warrants for surveys, form of grant, with a clause prohibiting alienation for a term of years, to prevent the mischiefs that had arisen in the Colonies. The commission for the trial of pirates, issued in 1728, still subsists; a copy is sent. Instructions sent to prevent desertion and to grant lands to Dunkley, on which he proposes to expend large sums, with a view to settlement. B. T. N. S. vol. 34, p. 129

May 27, Louisbourg. Hopson to Secretary of State (Bedford). Has received dispatches, with order to restore the island to the French and copy of the definitive treaty. Has also received orders for the removal of the troops, ordnance, &c., and copy of the proposals to all who decide to settle in Nova Scotia, but has as yet received no plans for the settlement of the troops spoken of. Had sent to communicate with Cornwallis at Annapolis and Chebucto, the latter, as he understood, is to be the first place of settlement. A. & W. I. vol. 65, p. 227

June 2, Annapolis Royal. Mascarene to Lords of Trade. Had, as ordered, proclaimed peace on 20th May. Reports the arrival of officers with 20 or 30 men from Canada and a number of Indians, to erect a fort and make a settlement at the mouth of the St. John river, and that two vessels with stores and materials were coming to them from Quebec. About 30 leagues up is a French settlement of families, who took the oath of allegiance; the territory is included in Nova Scotia. If the proposed settlement is allowed to go on it will check the others, prevent the French inhabitants from being brought into subjection and molest the navigation. The necessity for a settlement of the boundaries. F. 80, B. T. N. S. vol. 9

(Copy is in A. & W. I. vol. 595, sent by the Lords of Trade to Secretary of State on 10th August, 1749).

A similar, but not identical letter was sent by Mascarene the Secretary of State on the same date. A. & W. I. vol. 31, p. 55.

June 18, Boston. Shirley to Secretary of State (Bedford). Has had no word of the arrival of Cornwallis at Annapolis or on the coast. Sends copy of letter from Mascarene, showing the designs of the French for a settlement at St. John River. Cannot send a ship of war to visit the fort they are erecting there; has no doubt Cornwallis will bring one or more ships of war with him, so that he can put a stop to the motions of the French. A. & W. I. vol. 63, p. 176

(Duplicate at p. 177.)

Enclosed. Letter from Mascarene. 178

(Duplicate at p. 179.)

June 22, Chebucto. Cornwallis to Lords of Trade. His arrival; detention at sea; had made for here to avoid the risks of the Bay of Fundy, having no pilot on board who knew the coast. Had ordered Hopson to bring the garrison to Chebucto, but found he had no transports; arrangements made at Boston for a supply of vessels. Mascarene ordered to bring a quorum of the Council to Chebucto, so that he (Cornwallis) may be sworn in. Description of the country, which is one continued wood. F. 81, B. T. N. S. vol. 9

(Copy in A. & W. I. vol. 595, sent by Lords of Trade to Secretary of State, 19th August, 1749.)

1749.

A similar, but not identical letter to Secretary of State, of same date. A. & W. I. vol. 31, p. 56

A letter, dated next day, to the Secretary of State, (p. 59) is almost a copy of this.

28. ucto. Hugh Davidson to R. N. Aldworth. The sloop is now under sail for Boston, and the transports countermanded, as those with settlers have arrived and are arriving. An Indian chief is on board one of the ships. A. & W. I. vol. 31, p. 60

1, tation . John Pownall to Richard Leveson Gower. The title by which Canso is held as a part of Nova Scotia, followed by extract from the grant to Sir William Alexander in 1621. A. & W. I. vol. 595

9, ucto. Ordonnance (in French) forbidding the erection of a fort, or the making a settlement by the French on St. John River, which is part of Nova Scotia. A. & W. I. vol. 595

(Copy sent by the Lords of Trade to the Secretary of State, 1st September, 1749.)

9, ucto. Cornwallis to Rouse, of the sloop "Albany." To proceed to St. John River to ascertain what works are in course of erection there by the French, and to demand the authority for their action. He is also to visit Port Mouton to examine the settlement there. A. & W. I. vol. 595

(Copy sent to the Secretary of State, 1st September.)

14, ucto. Minutes of the first Council held by Cornwallis, at which he was sworn in and received deputies from Canard River, Grand Pré, and Piziquid (Windsor.) The Council met on board the transport "Beaufort." A. & W. I. vol. 595

(Copy sent to the Secretary of State, 1st September).

14, ehall. Lords of Trade to Secretary of State (Bedford). Transmit letter from Mascarene, dated 28th April, correspondence with La Galissonnière on his demands in relation to the rights of Great Britain, and copy of Shirley's letter in answer to La Galissonnière. A. & W. I. vol. 595.

(Correspondence enclosed, calendared at the dates of the letters, 15th January, 25th April, 9th May. A duplicate of letter to Bedford is in B. T. N. S. vol. 34, p. 139.)

14, sbourg our. Hopson to Secretary of State (Bedford). Has been continuing preparations for evacuation. Arrival of des Herbiers on the 27th of June to receive the island; had settled with him the points mentioned in the enclosed paper. On the 12th delivered the garrison and embarked the troops on the French transports, which he at first refused when offered by des Herbiers till pressed for evacuation, when he accepted on the condition stated in the paper entitled "Conclusions of the Council of War." His reasons for this and his correspondence with Cornwallis on the subject, the transports expected not having arrived to carry off the troops left after sending a detachment to Chebucto, and Cornwallis being unable to assist him with transports. His proceedings are given from day to day to show he was compelled to accept the offer of des Herbiers. A. & W. I. vol. 65, p. 229

Enclosed. List of papers sent. 231

Conclusion of the council of war, and convention with des Herbiers. 232

Preliminaries to be settled between Hopson and des Herbiers, to facilitate the evacuation of Isle Royale (Cape Breton.) 233

Resolutions taken on the 3rd ——, 14th July, relating to the differences of the number and calibre of the artillery, &c. It was agreed that all arms, &c., above those in the inventory should be removed by Hopson. 234

List of the arms, &c., and receipt from des Herbiers follow. 235 to 243

1749.
July 14, Louisbourg harbour. Hopson to Secretary of State (Bedford). His sense of the politeness and "genteel behaviour" of des Herbiers during the convention for the evacuation of Cape Breton. 244

July 18, Whitehall. Lords of Trade to Admiralty. Report the state of affairs on board the transports with settlers when examined at Spithead by their Lordships. The complaints respecting provisions had little foundation. The want of rice ordered for the children and suckling women. The disorders on board the "Merry Jack" reported in detail; the settlers sent on board another vessel. The mutiny on board the "London" and desertion of the crew suspected to be by the connivance of the master to retard the voyage. The fleet sailed on the 17th from Spithead with a favourable wind.

B. T. N. S. vol. 34, p. 440

There is another letter to the Admiralty, dated 28th August, containing substantially the same information.

July 20, Whitehall. Secretary of State (Bedford) to Lords of Trade. To ascertain which of the Indians are to be accounted friends or subjects, so as to come under the conditions of the 15th article of the treaty of Utrecht; until this be ascertained he can give no satisfactory instructions to Shirley and Mascarene. F. 79, B. T. N. S. vol. 9

July 23, Chebucto. Cornwallis to Secretary of State (Bedford). Arrival of the transports on the 27th of June; they will be ready to sail as soon as the settlers are landed. A sloop has been sent to countermand transports, ordered from Boston. Hopson's agreement with the French commissary; his disappointment that Hopson was not provided with transports; the second order had reached Boston in time to prevent any but one of those hired from sailing. The steps taken to prevent the French settlement on the St. John River. Mascarene with five of the Council arrived, when he (Cornwallis) took the oaths and nominated the members of a new Council, namely, Mascarene, Howe, Gorham, Benj. Green, Salisbury and Davidson, and has since added Steele. Sends plan of the harbour, the town to be on the west side, on the side of a hill which commands the whole Peninsula and shelters the town from the north-west winds. Describes the shore and harbour, and discusses the proper places for forts. Had landed the settlers on St. George's Island, where he has a guard and stores, and on which he proposes to build a powder magazine. Clearing already begun; has a small frame and planks ready for his own house. The Indians appear peaceable; they are to receive presents as soon as they have entered into a treaty. The steps he is taking to ensure the obedience of the French inhabitants.

A. & W. I. vol. 31, p. 61

Enclosed. Letter to Rouse, to prevent further progress in the French settlement on the St. John River. 65

Proclamation (in French) dated 9th July, prohibiting French subjects from making a settlement on the St. John River. 66

(Duplicate of the letter is at p. 75, of the other documents at p. 82.)

July 24, Chebucto. Cornwallis to Lords of Trade. Arrival of transports; orders sent to Boston to countermand the order to hire vessels. Transports sent to Hopson. The number of settlers, men, women and children is 1,400; of these the number of industrious is very small, of soldiers only 100; of tradesmen, labourers, &c., willing to work only 200 more: the rest are worthless and these are the most troublesome and mutinous; the good effect of punishment. The few Swiss are regular, honest and industrious; hopes a method of encouraging others of them to come may be found. Suggests that notices might be sent through Germany that husbandmen, tradesmen and soldiers being Protestants, would receive the same rights and privileges as natural born subjects. Shall be obliged to furnish the settlers with clothing to be paid for in work; has appointed some of the

1749. better sort to be overseers. The difficulty of settling, there being no clear land; shall be able, however, to house all the settlers before winter. Sends plans by Brewse and Durell (note that they were not received). The best situation for the forts; objections to Sandwich, point first selected. Is employing carpenters to build loghouses, wharfs, &c. The Indians peacable and promise to take commissions instead of those they hold from the French. Troops and an armed sloop sent to Minas.
F. 82. B. T. N. S. vol. 9

Enclosed. Instructions to Rouse of the "Albany" sent to Minas Basin, and an ordonnance (in French), warning against a French settlement at the mouth of the River St. John. F. 83

Minutes of Council; the selection of the new Councillors and oath administered. Form of oath to be taken by the French inhabitants; meeting with the French deputies. F. 84

(A duplicate of the letter is in A. & W. I. vol. 595; the number of settlers is given in it as 14.)

ly 24, ebucto. Cornwallis to Secretary of State (Bedford). Sends account of his transactions and difficulties; nothing is wanting but industry and assiduity to made this the most flourishing of the Northern Colonies. Hopes his conduct with respect to the French encroachments on the St. John River will be approved of; wishes he had been able to go himself to stop them. De Ramsay, who is employed, has passed Merligoch (*sic*) Bay a few days before he (Cornwallis) had reached. It was this force putting into Port Mouton that gave rise to the report that the French were making a settlement there. A. & W. I. vol. 31, p. 67

ly 24, ebucto. Hugh Davidson to Aldworth. Letters sent by the "Everley." Four companies have arrived from Louisbourg; Hopson expected next day. In consequence of the number of troops, the French and Indians will see the most formal cession perhaps was ever made of any country.
A. & W. I. vol. 31, p. 68

y 24, miralty. The conduct of some of the masters of transports will be laid before the Lords of Admiralty on their first meeting. F. 78, B. T. N. S. vol. 9

Report is enclosed of the "Sarah" with 116 passengers for Nova Scotia, having been driven into Topper Murray (Tobermory?) in a storm. The report sent by the master of the "Scorpion" is dated from Greenock 10th July.

y 27, itehall. Lords of Trade to Secretary of State (Bedford). In answer to the question (see letter of 20th July), what Indians are, or ought to be, friends or subjects of Great Britain, they report that in 1719 Bladen, jointly with Pulteney, was appointed to trent with French commissioners, who were Marshal d'Estrées and Abbé Dubois, on the subject of the limits. The question of the 15th article relating to the Indians never appears to have come to a discussion. The Abenaquis, the Indians now in question, have constantly resided on the River St. John, in the heart of Nova Scotia, have acknowledged and submitted to the King, as amply as they had done to the most Christian King, as appears by ratification of treaty made at Boston in 1725, so that Galissonniere's demand is without foundadition. The Abenakis having departed from their allegiance, by taking up arms for the enemy and attacking Annapolis Royal, it is submitted they should renew their submission before being granted peace.
B. T. N. S. vol. 34, p. 141

Two copies of this letter and two copies of the ratification by the St. John Indians on the 4th of June, 1726 at Annapolis Royal of the treaty made at Boston on 15th December, 1725, are in A. & W. I. vol. 595. For the treaty and ratification see enclosures in Armstrong's letter of 26th July, 1726. A. & W. I. vol. 29, pp. 75 to 78

See also C. 132, B. T. N. S. vol. 4).

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August 1, Whitehall. Lords of Trade to Cornwallis. Transmit copies of letters, &c., respecting LaGalissonniere's demands, he will see their extravagance by these letters. (Similar information to that in the immediately preceding letter to Secretary of State is given). He is to keep a watchful eye on the safety of the Province and the proceedings of the French.
B. T. N. S. vol. 34, p. 145

August 10, Whitehall. Same to Secretary of State (Bedford). Had been informed by Mascarene that a detachment of French and Indians from Canada had come to erect a fort and make a settlement at the mouth of the River St. John and that two vessels with stores and material are coming to them down the St. Lawrence. Enclose copy of Mascarene's letter to be laid before the King. The River St. John is in the heart of Nova Scotia and if the French be allowed to erect a fort there, it will have the most destructive consequence. B. T. N. S. vol. 34, p. 149
(Copies of this letter and enclosure are in A. & W. I. vol. 595. For Mascarene's letter, see 2nd June.)

August 19, Whitehall. Lords of Trade to Secretary of State (Bedford). Send copy of letter from Cornwallis, explaining why he went into the harbour of Chebucto, instead of going to Annapolis Royal and giving some particulars of the country and its inhabitants. B. T. N. S. vol. 34, p. 151
Enclosed. Letter from Cornwallis of 22nd June, which see.

August 20, Chebucto. Cornwallis to Secretary of State (Bedford). The inconvenience caused by the want of room for the immense quantity of stores from Louisbourg. The town is laid out and every man knows where to build. Could not persuade the settlers to throw up a line of defence round the town. The plan enclosed will show how the town is laid out and the measures taken for its safety. Arrival of French deputies with a letter, in which they stipulate for the free exercise of their religion and for an entire exemption from bearing arms, as but for the latter, the Indians would massacre them, the best reason for insisting on all being armed, as at present 10,000 people are overawed by 200 savages. Return of Capt. Howe from St. John River, with Indian deputies, who renewed their oath of fidelity. At St. John no one was at the old fort. A French schooner arriving was seized and the master sent up the river to bring down the French troops. The officers, with 30 men and 150 Indians came down with colours flying, which they were compelled to strike. The officers showed their instructions from LaGalissonnière to settle there. The Indian deputies agreed to be sent to Chebucto.
A. & W. I., vol. 31, p. 72
Enclosed. Letter from the French deputies, with answer. 69
List of civil officers appointed at Chebucto, with their salaries. 79
(A duplicate is at p. 83).
Letter from Boishebert to Cornwallis, dated 16th August, stating that as peace seems confirmed, he will not disturb it by trifling difficulties. 80
(A duplicate at p. 83).
A somewhat similar, but not identical letter was sent to the Lords of Trade on the same day, with additional information, B. T. N. S. vol. 9. For the plan mentioned in both letters, see letter of 17th October, with estimates, F. 100 and F. 102 in B. T. N. S. vol. 9.

August 20, Piscataqua. Pepperrell to Secretary of State (Bedford). Congratulations on peace. Thanks for half pay to himself and the officers raised for the reduction of Louisbourg; had expended a considerable part of his estate on that expedition and had received no pay or subsistence from any of the Provinces, all of whose troops he commanded. Will always be ready to execute His Majesty's commands. A. & W. I. vol. 31, p. 85.

August 25, Admiralty. Admiralty to Lords of Trade. The evidence against Barrett, charged with murder on board the "Merry Jack" not being sufficient, he and the witnesses are to be released. F. 92. B. T. N. S. vol. 9

'49. t 28, x.

Report of the trial of Peter Carteel for the murder of Abraham Goodfeder, boatswain's mate of the "Beaufort." (Copy sent by the Lords of Trade to the Secretary of State on the 16th October).
A. & W. I. vol. 595

ıber 1, hall.

Lords of Trade to Secretary of State (Bedford). Transmit letter from Cornwallis containing particulars as to settlers, French inhabitants and Indians; minutes of Executive Council, &c. B. T. N. S. vol. 34, p. 158

Enclosed. Cornwallis to Capt. Rouse (the date not given). For date see July 9. Also, of same date ordonnance forbidding the erection of a fort on St. John River, &c.

Minutes of Council 14th July, which see.

(Duplicates are in A. & W. I. vol. 595).

ıber 7, eta.

Letter from the French inhabitants (in French) delivered by the deputies on the date and at the place in the margin, that they had been promised privileges by Philipps when they took the oath of fidelity; threats had been made by the Indians for their taking the oath. The whole of the inhabitants refuse to take the oath prescribed by Cornwallis, but will take that proposed by Philipps, which exempted them from bearing arms; if that is refused, they have in general resolved to leave the country. They ask also that the oath given to Philipps should be annulled. A. & W. I. vol. 595

Answer by Cornwallis, same date. His surprise at their demands. Since the expiry of the year stipulated in the treaty of Utrecht for their removal, those who remained had become British subjects and were so declared by the French King. They must not therefore suppose they could possess houses and lands without being subjects of the sovereign of the Province. If Philipps allowed the exemptions they claim, he did not do his duty. Whether they take the oath or not, their duty to the King is the same, but they have been led by people whose interest it is to lead them astray. It is not the oath which makes them subjects, they are so already. It is only on account of their inexperience that he reasons with them; otherwise, it is not a question of reasoning but of enforcing obedience. They speak of their services, but what proof have they given of zeal and attachment to their King? It is now upwards of 34 years since they have been subjects of Great Britain; during that time they have enjoyed their possessions and religion. Let them show their gratitude and readiness to give their services when asked for. Orders them to send 50 men in ten days to assist the poor to build houses for shelter; they will be paid in cash and receive provisions. A. & W. I. vol. 595

(Copies of letter and answer sent by Lords of Trade to Secretary of State on 16th October).

ber 11, o.

Cornwallis to Lords of Trade. Progress of defensive works; when finished the place will be secure against the Indians. The Micmacs and St. John Indians, the latter headed by Leutre (Le Loutre) intended to attack Chebucto; they took 20 prisoners at Canso; armed vessels had been sent to secure their release and protect the hay cutters; one vessel to visit all the ports for intelligence but, if possible, to avoid quarrels with the Indians. The prisoners, carried to Louisbourg, were released by des Herbiers. The French doing all they can to excite the Indians, who are now at Cobequid with Le Loutre. If the Indians begin, peace should never be made with them again; it is practicable with a land and sea force to root them out, which would remove the only pretext the French inhabitants have of refusing to be put on the same footing as the English. The deputies have presented a letter signed by 1,000 French inhabitants that they would leave rather than take the oath of allegiance. Does not believe they will go this season. In his answer he had not changed his former declaration or said a word

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about it; had afterwards seen the deputies privately, and they went home in good humour. The shameful state of the regiment at Annapolis, Gorham gone to the head of the Bay (of Fundy) to keep open communication with Minas; an armed vessel to assist, which also carries materials for barracks. On the 30th August 116 settlers arrived, who have already cleared a spot for their houses; 1574 were victualled last week. Report of Carteel's trial sent. Armed vessels wanted.
F. 89. B. T. N. S. vol. 9

(The letter from French inhabitants and answer were enclosed. Copies were sent to Secretary of State on 16th October.) A. & W. I. vol. 595

A similar letter was sent to Secretary of State, of same date.
A. & W. I. vol. 31, p. 97

Enclosures. Letter from French inhabitants and answer, see 7th September. Report of the trial of Peter Carteel, see 26th August.

September 11, Admiralty. Admiralty to Lords of Trade. Charges against the masters of transports at Portsmouth have been sent to the commissioners of the Navy.
F. 93, B. T. N. S. vol. 9

September 11, Chebucto. Hugh Davidson to Aldworth. The rapid progress of the settlement; it is now secure, 10,000 Indians could not destroy it. The transports brought 1,411 men; 1675 are now victualled; many useful men are come from Louisbourg and New England. Does not think the Indians will attempt anything; if they do, they must be rooted out. The great affair will be to have roads cut across the country and from one settlement to another; one year would make the principal roads. In a year or two there need not be an Indian in the peninsula; the Micmacs are poor wretches. The worthlessness of the companies at Annapolis; the bad government there. The French remained entirely French, being managed by a set of rascally French priests. The fine situation of Halifax; the prospects of the fishery. A. & W. I. vol. 31, p. 102

September 21, Plymouth. Hopson to Secretary of State (Bedford). His arrival: had brought sundry dispatches, &c., which he has been too ill to deliver himself, but sends by express. 87

On the same date a note was sent to accompany the dispatches mentioned in preceding letter. 88

October 7, Chebucto. Extract from the account of cash paid by order of Cornwallis at Chebucto, preceding the date in the margin. The total amount is £6,045 5s. 1d. 124

October 16, Whitehall. Lords of Trade to Secretary of State (Bedford). Summary of letter from Cornwallis of 11th September, copy of which with enclosures are sent.
B. T. N. S. vol. 34, p. 160

(The letter and enclosures marked F. 89 and F. 90, copies of which are in B. T. N. S. vol. 9, are calendared at their dates. Another copy of letter from the Lords of Trade and copies of enclosures are in A. & W. I. vol. 595).

October 16, Whitehall. Lords of Trade to Cornwallis. Dispatches received; the fortunate circumstance of his having put into Chebucto, instead of going, as ordered, to Annapolis. Commend his sending to Boston for transports to bring the garrison from Louisbourg, although the arrival of the transports with settlers rendered it unnecessary. Approve of the steps he has taken to correct the indolence of the settlers. Shall take measures to get foreign Protestants to mix with and stir up the others. Approve of the plan for the town of Halifax, of the list of Councillors and of the distribution of lots to settlers. The acquisition of settlers from New England will add strength, as will the French Protestants from Martinico. Are pleased at the submission of the St. John Indians. To send return of stores, &c. Respecting the depredations of the Indians under the influence of the French of Canada; the measures he has taken to meet these approved of. His answer to the French inhabitants is just,

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should they keep to their resolution to leave the Province, it is right to make them as useful as possible in the meantime. Two sloops have been applied for. The proceedings in Carteel's case were regular.

B. T. N. S. vol. 34, p. 163

October 17, Halifax. Cornwallis to Secretary of State (Bedford). "The French have begun their usual game." DeLutre (LeLoutre), missionary to the Indians, has once more induced them to begin hostilities; they had taken 20 Englishmen prisoners at Canso. On 8th September, they attempted to seize two sloops, having gone on board on pretense of trading. On the 30th, they killed four men, cutting wood near Major Gilman's. The Council resolved not to declare war, but to treat them as banditti and rebels; that they should be pursued to their haunts; that 50 volunteers should be raised in the settlement to scour the woods; that 100 should be raised in New England to join Gorham's rangers and go over the whole Province, that a further present of 1,000 bushels of corn should be sent to the St. John Indians to confirm their allegiance; that ten guineas reward be paid for every Indian taken or killed. A proclamation was published accordingly at Halifax, Annapolis and Minas. Captain Clapham raised 70 volunteers in three days, of whom he selected 50, who are now scouring the woods; Gorham sends out detachments all round the Bay; Gilman has gone to Piscataqua to raise 100 men. The corn is to be bought at Minas; How is to carry it to St. John, and is to try to get some of the Indians there to go against the Micmacs. Asks for instruction respecting two schooners, hired by Shirley during the war, the bills for the hire, &c., of which have been protested. About 300 houses in the settlement are now covered, two of the forts are finished and the barricade covered all round the town; the posts at the head of the Bay and at Minas are made secure. A detachment of Philipps's regiment to remain in the post at the head of the Bay, that Gorham may scour the country.

A. & W. I. vol. 31, p. 89

Enclosed. Letter (in French) ending: "Je te salue. Tous les sauvages "de l'Isle Royal et de Malhickonneich 6 jours avant le St. Michel," *i. e.* 23rd September, 1749. The letter sets out the title of the Indians to the land, for the preservation of which they can trust only in God. Even a worm can defend itself when attacked, and the Indians being worth more should also defend themselves. Hope that when they see Cornwallis, he may say something that may lighten their hearts. 92

The text of the resolution of Council respecting the Indians. 93

The proclamation. 94

Cornwallis (in French) to des Herbiers, governor of Louisbourg, dated 21st September, calling his attention to Indian attacks and to the intrigues of Leutre (LeLoutre) among them; desires to know if he has entered this Province with his (desHerbiers') permission, or against his orders: his conduct should be examined in either case. Whoever comes on his (des Herbiers') account shall be well received, but if he brings no letter from him the laws shall be executed. The priests boast of having converted the Indians; if to commit all sorts of crimes is to be a Christian, it would be better they should remain honest heathens. Demands restitution of the schooner taken at Canso; were a French vessel taken in the same way into any port in Nova Scotia, he would believe his government very feeble or base if it were not returned and the pirates punished. 95

Answer by des Herbiers, dated 15th October, that he had sent back the prisoners taken by the Indians, but that the schooner had not been brought to any port on the island and that he had no control over the Indians, who are allies not subjects. Le Loutre is not responsible to him but to the general government of New France, having been sent to his mission by the King of France. Should Cornwallis find any French

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subject exciting trouble he should arrest him and he (desHerbiers) would punish if the prisoner belonged to his Province, or send him on to his own government. Laments the cruelties of the Indians, but no religion will change their nature. Learns that one of His Majesty's ships of war is still anchored at Port Toulouse and the commandant has sent to ascertain the reason. Should any of the ships of war desire to make a stay in one of the ports, they should apply directly to him (des Herbiers). If he can discover the vessel taken by the Indians he will try to get it out of their hands, but he cannot use force. 96

(A duplicate of this letter is at p. 123).

A letter of the same date (October 17) was written by Cornwallis to Lords of Trade, not identical, athough to the same general effect.

F. 95, B. T. N. S. vol. 9

The enclosures are the same and marked F. 96 to F. 100, but the plan mentioned in F. 85 (August 20), is additional marked F. 102.

October 25, Quebec. LaJonquière to Cornwallis (in French). Personal compliments. The peace should lead to mutual friendship, which he is inculcating on his Canadians; is glad to find that he (Cornwallis) is doing the same in his government. Defends the letter of LaGalissonnière to Mascarene on various grounds and discusses in detail the bearing of the articles in the treaty of Utrecht on North American questions. (Copy sent by the Lords of Trade to the Secretary of State, 22nd January, 1750)

A. & W. I. vol. 596

October 28, Quebec. Bishop of Quebec (Pontbriand) to Cornwallis (in French). Proposes, as had been done by his predecessors, to visit Nova Scotia officially, as part of his diocese. Is aware that the Acadians are British subjects and will neither say nor do anything against the submission they owe to the King. Asks for permission to send priests to the Acadians, who have requested him to do so. F. 108, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 22nd January, 1750. A. & W. I. vol. 596).

November 1, Halifax. Cornwallis to La Jonquière (in French). It is difficult to believe that he should have approved of La Galissonnière's letter. Clinton rather than he (LaJonquière) might have complained of distrust in relation to the prisoners. Is surprised that he not only approves of LaGalissonnière's letter, but that he has himself sent a detachment to St. John River, contrary to good faith and to the law of nations. Until the two Crowns come to a different agreement, holds that the whole coast of St. John and the other places to which French detachments have been sent are part of Nova Scotia. Has informed His Britannic Majesty of the state of affairs and whilst waiting instructions shall do his duty.

F. 107 B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 22nd January, 1750. A. & W. I. vol. 596.)

November 1, Halifax. Same to the Bishop of Quebec (in French). Cannot allow him to exercise his ecclesiastical functions in Nova Scotia. Did not refuse priests to the Acadians and had lately granted a passport to Abbé Maillard to go to Isle Royal (Cape Breton). Would be happy to procure good priests, which till now has not been the case. Was it well to send De Leutre (Le Loutre) as missionary to the Micmacs to incite them to cruelties towards those who had shown them friendship? Was it for their interest that he should prevent them from uniting with a civilized and Christian people and from enjoying the advantages of a mild government? Is certain that in giving this mission he (the Bishop) had not ordered the Indians to be led to their ruin and against the allies of his king. If any priest should presume to exercise his functions without permission from the Governor, he would at once be arrested and tried.

F. 109, B. T. N. S. vol. 9

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(Copy sent by the Lords of Trade to the Secretary of State, 22nd January, 1750. A. & W. I. vol. 596.)

vember 1, itehall. Lords of Trade to Treasury. Send extract of letter from Cornwallis, dated 20th August, respecting the building of barracks, &c., and list of civil officers with their salaries. B. T. N. S. vol. 34

(For the whole letter see 20th August.)

vember 10. Memorial of David Carnegie, surgeon on board the ship "London," stating his services to the passengers, although he was not employed in his medical capacity. F. 94, B. T. N. S. vol. 9

vember 10. C. Germain, French priest, to How. Warns him of an intended attack by Indians, who had sent to Quebec for assistance. A. & W. I. vol. 31, p. 118

vember 24, napolis yal. John Gorham, memorial to Mascarene respecting the settlement of Nova Scotia, consequent on giving up Cape Breton and the Island of St. John to the French. F. 73, B. T. N. S. vol. 9

cember 1, bany. John H. Lydieus to Cornwallis. Complimentary introduction. Design of the French against Nova Scotia. LaCorne, who commanded at Minas when Noble was killed, and de Lenière have left Quebec with 600 French and as many Indians as they could raise, having two vessels loaded with stores and ammunition, snow shoes and sleighs for drawing provisions to Baie Verte in winter, and, with the treacherous neutrals, will fall on the settlement. F. 131, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th May, 1750. A. & W. I. vol. 596.)

cember 7, lifax. Cornwallis to Lords of Trade. By letter from LaJonquière, copy of which is enclosed, it is evident the king's just rights cannot be maintained without an additional force. Had been informed by the Secretary of State that an agreement had been made for settling the boundaries; LaJonquière's letter would show how unjustifiably the French are acting and the map will show their encroachments on the peninsula, within five miles of Chignecto, where the Indians are now assembled. The design is evidently to get at the back of all the settlements, as witness Crown Point at the back of New England and New York, an encroachment made in a time of profound tranquillity. Should the same be attempted at Shepody shall resist it with all his strength. A number of inhabitants, secretly enemies, will assist the French at least with intelligence and supplies, and some will probably take arms; they can easily disguise themselves, many being of Indian blood and not unlike them. The security of the Province, as a frontier to the other Colonies, depends on more force. The steps for defence and the points to be guarded. F. 104, B. T. N. S. vol. 9

Another letter of same date relates to the supply of provisions. F. 105

Enclosed. Letters to La Jonquière, F. 107; from and to the Bishop of Quebec F. 108, F. 109, are calendared at their dates, 25th and 28th October and 1st November. Copies were sent also by the Lords of Trade to Secretary of State, 22nd January, 1750. A. & W. I. vol. 596. A similar letter from Cornwallis to Secretary of State, but with variations was written on the 6th December, A. & W. I. vol. 21, p. 110, and a duplicate of the same letter, but dated the 7th at p. 111. The enclosures are the same as those in letter to Lords of Trade dated on the 7th, pp. 112, 117; letter from Germain, a French priest, dated 10th November, warning How of an intended attack by the Indians, p. 118, others, pp. 119, 120.

cember 7, eux Logis. Handfield to Cornwallis. Account of the capture of Hamilton with his party, when surveying. F. 134, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th May, 1750. A. & W. I. vol. 596.

cember 10, lifax. Cornwallis to Secretary of State (Bedford). There being no word from Minas, had sent Gorham with his company to open communica-

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tion. Learns from Captain Handfield, that about 300 Micmac and St. John Indians had, on the 27th November, attacked a detachment from his fort and taken them all prisoners. They withdrew to Chenecto on the 4th, with their prisoners after several attempts on the fort. This convinces him more and more of the necessity of sending more force.
A. & W. I. vol. 31, p, 121

December 11, Boston. Phips to Cornwallis. Report brought by Stevens, sent by Shirley to Canada, that a large supply of stores was in preparation for the Indians, who were to be sent on a secret expedition, supposed to be against Chebucto, and that 600 Frenchmen were to join them. Lydius has further information. (Copy sent by Lords of Trade to Secretary of State, 4th May). A. & W. I. vol. 596

The report by Stephens, (undated) is in A. & W. I. vol. 31, p. 86.

December 12, Piziquid. Order (in French) by the Indians to the inhabitants of Piziquid, Minas and others, to take arms and munitions and march 30 men to the house of Joseph Landry to fortify the guard, the rest to assist the detachment at Grand Pré, on pain of death. It is God who has sent assistance to drive out the English. F. 132, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th May. A. & W. I. vol. 596)

December 18, Halifax. Cornwallis to Secretary of State (Bedford). Sends letter from Lieut.-Governor Phips; the people of New England are afraid of being attacked this winter. Is positive the Indians can do no great harm; had the French not set them on, they would never have thought of doing anything. Cannot think the French will openly send troops or Canadians to attack the out-forts, far less the settlements, but will send officers and men disguised with the Indians. As the Indians alone cannot take any one of the forts, if considerable mischief is done, His Lordship may be assured the French have done it. Jonquière's detachment is to remain near the isthmus to incite and support the Indians and to supply them with ammunition and provisions. A. & W. I. vol. 31, p. 122

December 19, Whitehall. Lords of Trade to Secretary of State (Bedford). Send copy of letter from Cornwallis, respecting depredations by Indians, &c. headed by LeLoutre. B. T. N. S. vol. 34, p. 174

(The letter, dated 17th October, is calendared at its date. It is marked. F. 95, B. T. N. S. vol. 9, followed by enclosures.)

December 20, Whitehall. Secretary of State (Bedford) to Lords of Trade. The King has authorized them to contract with Dick of Rotterdam, or other suitable person, for the transport of foreign Protestants to Nova Scotia, and that they may offer a reasonable encouragement to foreign Protestants to settle in the Province. F. 103, B. T. N. S. vol. 9

December 21, Whitehall. Lords of Trade to Treasury. Send extract from letter from Cornwallis respecting disbursements at Chebucto, &c. B. T. N. S. 34, p. 176

December 22, Whitehall. Lords of Trade to Dick. His Majesty has given orders to contract with him (Dick) for the transport of foreign Protestants to Nova Scotia, not to exceed 1,500. Enclose declaration of the privileges to be allowed such foreign Protestants, the present state of the Colony, &c., which he is to make public. 177

The declaration follows. 179

December 25, Halifax. Naval officer's returns (two) of vessels entered and cleared at Halifax between 19th July and date in the margin. A. & W. I. vol. 595

(They are endorsed as received on 5th December, 1750.)

No date. List of emigrants for 1748 and 1749. B. T. N. S. vol. 56.

(The whole of letter A has been torn out.)

Shirley to Secretary of State (Newcastle). Transmits memorial of the legislature of Massachusetts for repayment of the expenditure for the troops raised for the intended expedition against Canada, with his remarks. A. & W. I. vol. 63, p. 85

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nuary 5. John Hamilton to Cornwallis (in French). Gives an account of his capture by Indians, whilst making a survey to complete the plan of the little fort at Grand Pré. The Indians refused to ransom him and the other prisoners until Le Loutre interceded and lent him money, besides which, two Indian girls, prisoners at Boston, are to be released in exchange.
F. 129, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th May. A. & W. I. vol. 596.)

nuary 9. Verbal report by Mauger, of the state of the settlement at Chebucto
hitehall. harbour; details of the fishery; the situation of the town of Halifax; description of timber in the neighbourhood. Report of the surprise by Indians of a detachment at Minas. B. T. Journals, vol. 58, pp. 7 to 10

Similar report by Kingslaugh. 10, 11

nuary 12, Cornwallis to Phips. Has report of an intended attack on Halifax by
lifax. Indians now at Chignecto. Has selected Cobb to attack them; asks him to assist to get Cobb's vessel manned at Boston.
F. 133, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th May. A. & W. I. vol. 596.)

nuary 13, Copy of instructions to Cobb to apprehend LeLoutre (written de
lifax. Souche in the second paragraph), and as many of the inhabitants as he can, they having harboured and assisted the Indians, never giving any intelligence. A second set of instructions of the same date follows, directed more especially against the Indians, a reward of £10 to be given for every prisoner or scalp taken. If LeLoutre is taken the crew to receive £50, and he is to receive the same on the delivery of Le Loutre at Halifax or at one of the forts. General powers are given in the second instructions. F. 136, B. T. N. S. vol. 9

(Copies sent by Lords of Trade to Secretary of State, 4th May. A. & W. I. vol. 596.)

nuary 22, Lords of Trade to Secretary of State (Bedford). Send copy of letter
hitehall. from Cornwallis, representing the necessity for an additional force, the French having sent detachments to Shepody and other places in Nova Scotia and are endeavouring to stir up the Indians. French encroachments, in violation of His Majesty's rights, unless defeated will prove of dangerous consequence; they, therefore, recommend the Governor may have additional means of defence. B. T. N. S. vol. 34, p. 188

The letter, dated 7th December, 1749, with enclosures, is calendared at its date. It and the documents are in vol. 9, B. T. N. S. marked F. 104 to F. 109. Duplicates of letters from Lords of Trade, from Cornwallis, and of the enclosures are in A. & W. I. vol. 596.

nuary 22, Lords of Trade to Treasury. Send extract from letter from Corn-
hitehall. wallis of 7th December, respecting provisions. B. T. N. S. vol. 34, p. 185

nuary 23, Treasury to Lords of Trade. The question of Townsend's contract
easury. for supplying provisions to the settlers in Nova Scotia is under consideration. F. 110, B. T. N. S. vol. 9

nuary 25, Cornwallis to Hamilton. Had received his letter of 5th January, but
lifax. from what place is a secret. The whole blame is attributable to Le Loutre; is to tell him that he behaves with great insolence; is surprised that he (LeLoutre) should dare to acknowledge that he is in the Province without leave, exciting rebellion amongst His Britannic Majesty's subject; the assembling and setting on the poor Indians to commit murder is inhuman and not becoming to a person who calls himself a Christian. In spite of his (LeLoutre's) threats, he (Cornwallis) will defend the just property of the King. If Le Loutre had written himself it would only have been decent, but to get him (Hamilton) to write at his dictation is an insult. Was astonished to get a letter written in French by a British officer. If LeLoutre lent money for his ransom why does he

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he not come away? If LeLoutre, or the Indians, wanted money for the ransom, why did they not write to him (Cornwallis)? He (Hamilton) and his party behaved very ill in letting themselves be taken without firing a shot. Knows nothing about the Indian girls at Boston, but if the Indians behave well, they shall be given up. F. 135, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th May. A. & W. I. vol. 596).

January 31. Memorial (undated) from Waldo, for payment for his services in the expedition against Cape Breton. A. & W. I. vol. 530, p. 38

Memorial (undated) from American officers left in garrison at Louisbourg, for an examination of their accounts and payment. The memorial is signed by Wm. Pepperrell, S. Waldo and Chris Kilby. 39

Memorial (undated) from Pepperrell for pay as Colonel from 31st January, 1744, (1745), to 24th September, 1745, the date of his new commission. 40

(These three undated memorials were enclosed in letter from the Secretary of State (Bedford) dated 31st January, as in margin).

February 8, Boston. Phips to Cornwallis. Had received letter by Cobb; shall do everything in his power for the good of the settlement; has assisted Cobb to procure men; there should be no difficulty in getting the number wanted. Sends copy of the advertisement. F. 128, B. T. N. S. vol. 9.

The advertisement that Cobb is engaging men for the sloop "York" follows.

(Copy of letter and advertisement sent by Lords of Trade to Secretary of State, 4th May. A. & W. I. vol. 596).

February 16, Whitehall. Lords of Trade to Cornwallis. Had sent copy of his letters respecting the defence of Nova Scotia to be laid before the King. His measures for reducing the Indians approved of, but offers of peace should be held out at the same time. The refractory conduct of the French inhabitants encouraged by the hope of regaining the Province, but when that hope is cut off, there is reason to apprehend they will no longer stand out. Should full proof be obtained that they have furnished arms to the Indians or French, it would sufficiently justify their being totally disarmed. As the French from Canada have made a settlement in the Province, with a view to draw the inhabitants, all forcible measures to induce them to leave their settlements should for the present be waived. The question of additional force and the number of people to be sent this year are under consideration. A contract has been made for the transport of 1,500 foreign Protestants. Economy to be observed, on which point several sources of saving are pointed out.

B. T. N. S. vol. 34, p. 189

February 20, Boston. Phips to the same. Had been informed that the Penobscot Indians had joined with the others in the attack on Minas. Is sensible of the perfidiousness of all Indians, but as the attack was made soon after the treaty with that tribe was signed at Falmouth, and most of the Indians were then abroad, they may not have heard of it. Had ordered the commander of St. George's fort to make inquiry, but had not yet received his report. Has sent copy of his (Cornwallis's) letter to the Assembly, as till the members are satisfied of the necessity, no supplies will be voted for such a war. Regards it as equitable that all the governments should contribute to the common defence, but despairs of the Southern Colonies joining. Letters sent him had been forwarded to the Governor of Canada and Bishop of Quebec. Shirley, he is informed, is appointed one of the commissioners for settling the boundaries in America and La Galissonnière has been appointed by the French King. He (Phips) has sent over all the evidence. Sends, as a curiosity, copy of a plan of the fort at Crown Point, made on a piece of bark by an Indian.

F. 130, B. T. N. S. vol. 9

750.

(Copy sent by Lords of Trade to Secretary of State, 4th June. A. & W. I. vol. 596).

ıary 26. Bearcroft, secretary to the Society for the Propagation of the Gospel,
erhouse. to Lords of Trade. Sends abstract of the account of the state of Nova Scotia, reported by Tuttie, missionary there. The rapid progress of the Colony; the French inhabitants and Indians under the absolute dominion of the priests; their obedience to the King a mere acknowledgment. The Indians, who were at first satisfied, disappeared all at once, on a summons to Chignecto from their priest, who endeavoured to stir them up to arms. The decent character of the officers; the abandoned character of the settlers sent out, whose conduct gives great scandal to the New Englanders; it is to be hoped the latter are under the power as well as form of religion. Tuttie recommends sending over French Bibles and employing Moreau as a missionary to the French Protestants. The efforts Tuttie will make to reclaim the lower sort of settlers. French Bibles and other books ordered. The society will appoint Moreau to be a missionary. Edward Holhead, a schoolmaster, had arrived in Nova Scotia. F. 111, B. T. N. S. vol. 9

h 1. Secretary of State (Bedford) to the same. That 400 French Protes-
shall. tants had landed at Jersey to escape persecution in France. The King desires to have proposals for encouraging these and other unfortunate people to settle in some part of His Majesty's dominions F. 113

h 2, Lords of Trade to Secretary of State (Bedford). Before recommend-
shall. ing measures for settling in Nova Scotia the 400 French Protestants now in Jersey, they must have further information as to their circumstances. B. T. N. S. vol. 34, p. 196

h 2, Same to Dick. Approve of his proceedings except those with respect
shall. to France. The settlers should be in readiness by the middle of April at latest, so as to be in Nova Scotia as early as possible. Their Lordships have not changed their good opinion of him. 198

h 5. Kilby to Hugh Davidson. Nothing must be ordered for Nova Scotia without the intervention of the Lords of Trade. F. 144, B. T. N. S. vol. 9

h 5, Lords of Trade to Bearcroft. Thank the society for the Propagation
shall. of the Gospel for the gift of £50 for Bibles. Respecting an appointment for Moreau, &c. B. T. N. S. vol. 34, p. 201

h 6, Dick to Lords of Trade. The measures he has taken to promote the
rdam. emigration to Nova Scotia of Protestants from Switzerland and France. F. 112, B. T. N. S. vol. 9

h 6, Lords of Trade to Oswald. Forbid him to send medicines or other
shall. articles to Nova Scotia on order from Davidson or any one but their Lordships. B. T. N. S. vol. 34, p. 202

h 8. Richard Oswald & Co. to Lords of Trade. Proposals for transporting to Nova Scotia French Protestants now in Jersey. F. 115, B. T. N. S. vol. 9

h 8, Lords of Trade to Secretary of State (Bedford). The French Protest-
shall. ants who have taken shelter in Jersey from persecution are in such necessity that if not relieved they must perish from want, or be compelled to return to their country at great peril. Their suitableness as settlers in Nova Scotia; recommend that a contract be made for their transport, but not till a report is received of their number, how many are manufacturers, &c. B. T. N. S. vol. 34, p. 203

h 9, Same to the same. Would before have sent thoughts on methods for
shall. the new settlement in Nova Scotia, but have been doubtful what amount would be voted. The rapid growth of Halifax although beyond what could have been expected, is only part of a great plan; other settlements must be made, without which the French inhabitants will never be induced to become good subjects, nor the Indians to desist from their outrages. The place to be settled next summer is between Chignecto

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and Baie Verte, at the entrance of the peninsula, which will thus be protected against the Indians; its other advantages, but no settlement can be effected without a sufficient force; how the troops now in the Province are disposed of, so that none can be spared for the new settlement. Without another regiment the attempt to make other settlements would only be a lost expense and it must be sent in advance of the settlers, arrangements having been made for sending early in spring 1,000 foreign Protestants and 300 persons from the British isles, none to be accepted who do not come up to certain prescribed conditions. Recommends that a contract for their transport and victualling be entered into with merchants of credit and reputation. A. & W. I. vol. 596

There follow:—

Advertisement.

Estimate (£38,778. 19s. 2d.) for supporting, maintaining and enlarging the settlement of Nova Scotia for 1750.

(A duplicate of the letter is in B. T. N. S. vol. 34, p. 206)

March 19, Halifax.

Cornwallis to Lords of Trade. Thanks for approval of his conduct. Had no intention to commit cruelties on the Indians, but would never think of making peace with them, without their giving security to observe their treaties. The little regard the best of them show to treaties; they never miss an opportunity of doing mischief when that is attended with gain. If a fort is once built at Chignecto, they will either be driven out of the peninsula or submit. They had made an attempt on the fort at Minas and surprised Hamilton and 18 men: he has reinforced the fort. Gorham sent to arrest inhabitants of Piziquid, who had been in arms with the Indians, he had brought three young lads, who acknowledged they had been with them, having been threatened with death if they refused; wishes he had brought some of the old rebels to be made an example of; has kept the lads in confinement, but does not wish to make them the first instance of severity. Had established courts of judicature; the proceedings are in the minutes of Council now sent. The reports from Canada, sent to the Secretary of State, have filled the minds of the people with apprehension; trees cut down for 100 yards round the town; the militia called out to the number of 840; guards set. Intelligence received from the French inhabitants, who were well paid; they have all left the town, a proof that they expect the Indians, but whether they will come, or that their remaining at Chignecto is to cover French designs, he cannot ascertain. Failure of Gilman to bring his detachment prevented operations against Chignecto; had engaged Cobb to make an expedition there and try to capture Loutre; the ill judged publicity given to the affair at Boston. Had written to Girard, the priest at Cobequid, but the courier was stopped and there was no answer. Was informed by French inhabitants that Indians were at Cobequid all winter; sent Capt. Bartels to dislodge them and bring the priest and deputies; he saw no Indians but brought the others; Gorham is good for nothing. When examined the priest would give no direct answer, but on a further examination of him and the deputies it was ascertained: (1) That ever since the suspension of arms La Galissonnière resolved, whether of his own accord or by orders did not appear, to secure Beaubassin or Chignecto at all events; that the detachment was sent to St. John River to wait for orders to march on Beaubassin, and that the Governor of Louisbourg was directed to send men and ammunition. In support of these statements, Cornwallis quotes a letter from Abbé Maillard to Girard, dated at Beaubassin, 3rd May, 1749: "On juge àpropos de "prendre des Precautions pour se maintenir en possession de Beaubassin. "Messrs de La-Galissonnière et Bigot ont envoyé à cet effet un Detache-"ment des François des Sauvages hyverner dans la Rivière de St. "Jean pour être à portée de se rendre en tems et lieu à Beaubassin. Ce

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"Detachement est commandé par M. Boisbert. Les memes ci-dessue "nommés écrivent au Commandant futur de Louisbourg pour envoyer, "aussitôt que ' aire se pourra, munitions, Provisions et Hommes."*

(2.) That the Indians went to Canada to be clothed by the French King. (3.) That M. La Corne has made the inhabitants of Chignecto take the oath of allegiance to the French King. (Cornwallis adds: "This, the priest told me in private, he had from M. Loutre"). (4.) That Loutre was at Cobequid for three or four days in January, paying the inhabitants for damage done by the Indians and that some Indians Loutre brought with him to the church door threatened the inhabitants with death if they passed the Chebenacadie (Shubenacadie) river. (5.) That the courier sent to the priest was carried by two rebel French to Chignecto; this was admitted by the deputies but denied by the priest. To all questions, why they permitted the courier to be stopped, why the priest did not answer the letter, why the deputies did not come, the answer invariably was that they were afraid of the savages. The deputies were lodged in the fort and the priest taken to his (Cornwallis's) house. Has written to Loutre to send back the courier and prisoners; sends copy of answer to Hamilton, whose letter he thinks was written at the dictation of Loutre to get money or to protract the time till the French were settled. Shall make no observation on the conduct of the French towards Nova Scotia; they had spent blood and treasure to gain it and would purchase part at the expense of public faith and national honour. Shall defer making the inhabitants take the oath of allegiance till he hears what kind of settlers to expect in Spring and what additional force is to be sent. Respecting settlers and the prospects, the weather, &c. A frame is put up for a hospital and a house erecting for a public school; the French inhabitants squaring timber for blockhouses. The value of the harbour, which does not freeze all winter. F. 127, B. T. N. S. vol. 9

The enclosures marked F. 128 to F. 136 are calendared at their respective dates. A copy of the letter was sent by the Lords of Trade to the Secretary of State 4th May. A. & W. I. vol. 596

A letter of the same date (19th March) and to the same general effect, was sent to the Secretary of State, with the same enclosures as those in the letter to the Lords of Trade. A. & W. I. vol. 31, p. 125. The letter itself is not, however, identical with that to the Lords of Trade.

March 20, Whitehall. Secretary of State (Bedford) to Lords of Trade. A selection should be made, to be sent to Nova Scotia, out of the 400 French Protestants lately landed at Jersey. F. 114, B. T. N. S. vol. 9

March 24, Halifax. Cornwallis to Secretary of State (Bedford). Account of skirmish at Piziquid between Gorham and the Indians. A. & W. I. vol. 31, p. 130

March 28, London. Stork and Champion to Lords of Trade. Offer to carry to Nova Scotia at £4 a head the French Protestants now in Jersey. F. 116, B. T. N. S. vol. 9

March 29, Whitehall. Secretary of State (Bedford) to Lords of Trade. The King approves of the proposed settlement between Chignecto and Baie Verte; an additional regiment will be sent. Order to Dick to send 1,000 French Protestants to Nova Scotia approved of, but His Majesty does not think it proper the settlement should consist exclusively of foreigners. F. 117

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*It is thought proper to take precautions to maintain possession of Beaubassin. For this purpose Messrs. de La Galissonnière and Bigot have sent adetachment of French and Indians to winter on the St. John River, to be at hand to go to Beaubassin. This detachment is commanded by M. Boisbert. The above named persons are writing to the future commandant of Louisbourg to send as soon as he can munitions, provisions and men.

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March 29, Whitehall. Lords of Trade to Secretary of State (Bedford). They have not yet had full information respecting the refugees in Jersey. They are making further inquiries. B. T. N. S. vol. 34, p. 215

April 2, Whitehall. Same to Cornwallis. Questions relating to Nova Scotia are engaging their serious attention. The necessity of sending detailed accounts of the expenditures, so as to continue the present favourable inclination of Parliament to assist, especially when there is a desire to lessen the national debt by a reduction of annual expenses. Orders have been sent for the embarkation of an Irish regiment for Nova Scotia, and he is to have authority to draw his own regiment from Newfoundland; two sloops of war are also ordered for the defence of the Province. His account of the Province, infested by Indians stirred up by the French, convinces them of the danger of delay in sending troops, so that every effort has been made to hasten their departure. The policy of securing the alliance of the Indians, as France not only uses them in time of declared war but also in time of peace to annoy and interrupt the settlements, without making herself chargeable with an open breach of the treaty. Some expense may be necessary to gain the Indians, but it will avoid the heavier charges of an Indian war. The desire for peace with France. Respecting foreign Protestants for Nova Scotia; the proposed settlement on the Isthmus approved of. Davidson cannot be allowed to give orders direct for stores, &c. 206

April 6, London. Richard Oswald & Co. to Lords of Trade. Further respecting the transport of emigrants to Nova Scotia. F. 120, B. T. N. S. vol. 9

April 7, Rotterdam. Dick to the same. His proceedings in France to obtain settlers for Nova Scotia could not give umbrage. Many Lutherans in Saxony and Silesia wish to go to Nova Scotia. Has promised a Lutheran minister, who can bring 50 families, a free passage in the best part of the ship and a good allotment of land. Recommends their Lordships to make him a small allowance. A count in Holstein proposes to go also with his family, having 29,000 German florins. The exertions of the agents he has employed in Germany and the arrangements he has made for passages. F. 118

April 10, Whitehall. Lords of Trade to Dick. Relative to the embarkation of foreign settlers, a return must be sent immediately of their numbers, &c. The passage of these men cannot be paid. Will recommend the Lutheran minister, if of good character, to the Governor's favour, but cannot settle a salary on him; the Count shall receive as many acres as his means may allow him to cultivate. A postscript repeats the refusal to pay for passages. B. T. N. S. vol. 34, p. 231

April 11, Halifax. Cornwallis to Phips. Had received his letter of 20th February. It did not matter if the Penobscot Indians with the Micmacs at Minas knew of the treaty of peace with them being signed; they knew that it was on foot; and, what was worse, the chief who signed the treaty knew of the design against the Province. Their only view in making peace with him (Phips) was to keep the Indians in New England secure, in which they had succeeded. Had not expected three months after the Minas affair so frivolous an excuse for not revenging it. Cannot understand how one of His Majesty's Provinces can have peace and commerce with people who are committing outrages in a neighbouring Colony, specially as they are equally dangerous to both and follow the dictates of a jealous rival, against whose ambition the settlement of Nova Scotia was intended. Cannot conceive it possible that the Assembly of Massachusetts can look on as spectators. Every motive must excite them to join in chastising these perfidious savages and their assistants. Should Massachusetts maintain peace and commerce with them, it will be as useful as Canada, their wives and children can remain in security whilst the tribe marches to Nova Scotia, furnished with clothes, provisions and

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arms from Massachusetts. Has no doubt the Assembly of Massachusetts will grant supplies; he has already sent a strong detachment to drive the Indians from Chignecto. If Lawrence finds that LaCorne has erected any kind of fort, he has orders to destroy it. F. 151, B. T. N. S. vol. 9

(Copy sent by Lords of Trade to Secretary of State, 4th June. A. & W. I., vol. 596).

13, ehall.

Lords of Trade to Cornwallis. To send maps of the Island of Canceau and lands adjacent and of Sable Island, for the use of the commissioners appointed to treat with France for the settlement of disputes.

B. T. N. S. vol. 34, p. 233

17, rdam.

Dick to Lords of Trade, with further report respecting emigration to Nova Scotia. F. 119. B. T. N. S. vol. 9

20, on.

Richard Oswald & Co. to the same. Declining to contract for the passage of emigrants to Nova Scotia, as they cannot do so at as low a rate as has been offered by another firm. F. 122

23. on.

Samuel Stork to the same. He is unable to contract for carrying passengers to Nova Scotia. F. 125

23, on.

Offer by G. Heyliger to transport passengers to Nova Scotia, with a statement of the provisions to be supplied them weekly. F. 124

24, rdam,

Dick to Lords of Trade. Further report of his proceedings, enclosing letters from his agents in Germany. F. 121

24, on.

John Thomlinson to John Pownall, enclosing letter from John Scrimshire offering the "London" to carry passengers. F. 126

26, on.

Charter party of the "Alderney" between George Heyliger and the Lords of Trade for the voyage to Nova Scotia. F. 142

28. rdam.

Dick to Lords of Trade. The risks he is prepared to run for payment of the passage by emigrants, who are able now to pay only half fare. F. 123

30, ax.

Cornwallis to the same. Has sent express the sloop which was to have sailed this day for Baie Verte, well manned and armed. LaCorne and Loutre at the head of 2,500 men at Chignecto; Lawrence was obliged to re-embark the same day he landed. The inhabitants of Rivière de Canard, Minas, Pisiqued and Cobequed (the names are given as in the letter) are retiring from the Province, being threatened with a general massacre by La Corne and Loutre. Refers to his letter to the Secretary of State (dated 1st May) for further details. If sufficient force is sent, he will answer for it that the Province will soon be as valuable as it was proposed to be, whether the French inhabitants stay or go. As this concerns all the Northern Colonies, he shall send accounts to Massachusetts and New Hampshire; asks that orders be sent them to join the common cause. After the affair at Minas, had informed Governor Phips that the Penobscot Indians were there, and asked if this was to be resented by Massachusetts; the correspondence is enclosed. F. 148 See also A. & W. I. vol. 31, p. 131.

(The enclosures, F. 149 to 151, are calendared at their dates. A copy sent by the Lords of Trade to the Secretary of State, 4th June, A. & W. I. vol. 596).

30, y.

List of French Protestants that have left France for their religion and are now residing in the island of Jersey; all the names, occupations and ages, with the names of the children and ages, are given.

F. 143, B. T. N. S. vol. 9

1, ax.

Cornwallis to Secretary of State (Bedford). To the same general effect as letter to Lords of Trade of 30th April, but with fuller details.

A. & W. I. vol. 31, p. 132

3, ax.

Same to Hopson. Had given his thoughts about Massachusetts remaining at peace with the Indians, whilst, under the French, they were doing so much mischief in Nova Scotia. Had sent a detachment to dislodge the French and Indians from Chenecto, before they could

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raise strong works. La Corne and Le Loutre doing such mischief as one nation never attempted against another in time of profound peace. Details the course taken by these two, but he did not think any French officer would have gone to the length La Corne did. As soon as the vessels were in sight, he set fire to Beaubassin, and carried off the inhabitants, lined the dyke with troops, Canadians, rebel inhabitants and Indians to the number of 2,500 men and declared he would defend that territory to the last extremity, as belonging to the King of France; the French claim the north side of the Bay of Fundy from Chenecto to the Kenebeque. The importance of this to all the Northern Colonies; asks him seriously what steps should be taken to check these designs. G. 20. B. T. N. S. vol. 10

May 3, Whitehall. Lords of Trade to Alexander Charles. To go to Holland, to examine into the state of Dick's proceedings in relation to settlers for Nova Scotia. B. T. N. S. vol. 34, p. 235

May 3, Whitehall. Same to Dick. He is to give Charles full information respecting the settlers for Nova Scotia. 237

May 4, Whitehall. Same to Secretary of State (Bedford). Transmit letter from Cornwallis, with account of the settlement, the notorious behaviour of the French inhabitants, &c. 238

(The letter, stated to be dated 11th March, is marked F. 127, in B. T. N. S. vol. 9, and is calendared 19th March. There is a duplicate of the letter to the Secretary of State in A. & W. I. vol. 596, followed by duplicate of Phips to Cornwallis, 11th December, report by Lydieus to Cornwallis, 1st December; Cornwallis to Lords of Trade, 19th March, and Phips to Cornwallis, 8th February; instructions to Cobb (two), 13th January; Hamilton to Cornwallis (in French), 15th January; order by Indians to the inhabitants, 12th December; Handfield to Cornwallis, 7th December; Cornwallis to Phips, 12th January; the same to Hamilton, 25th January. They are entered here as they follow the covering letter, but are all calendared at their proper dates).

May 9, Quebec. Bill of goods put on board the "London" as presents for the Indians. A. & W. I. vol. 486

May 9, Quebec. Clearance of the "London" from Quebec to Shediac. In the list of the crew the master's name is given as "Jacques Jalin de Grandville," he signs "Jallain." The permit attached calls him "Jalin," vol. 486.

A separate "Congé," of same date. vol. 486

May 10, Quebec. Instructions signed by Bigot to Jalin of the "London," preparing to sail for Shediac. vol. 486

May 11, Quebec. List of provisions and fittings for the "London," supplied from the King's stores. vol. 486

May 12, Quebec. Bill of goods entrusted to Sieur Jalin, captain of the "London." vol. 486

May 12, Quebec. Vergor to Jalin. He is to obey the orders, he will receive at Shediac and may sell his spare stores for furs. vol. 486

May 13, Quebec. Order signed by Bigot to Jalin, captain of the "London," bound for Chedaïck (Shediac), to take on board François Mignan, an Acadian, and give him rations on the voyage. vol. 486

May 22, Rotterdam. A. Charles to Lords of Trade. Report on the proceedings of Dick, who was at the Hague when he (Charles) arrived; had seen him frequently since. Believes Dick will be disappointed in the number of settlers he expected for Nova Scotia. F. 138, B. T. N. S. vol. 9.

On the same date Dick wrote and referred to this report. F. 139

(Both these letters are dated new style, which by the old style then in use in Great Britain would be the 11th May. There are two copies of the letter from Charles in A. & W. I. vol. 596, the first signed A. C. Charles, the second Alex., which is apparently the correct signature, the first (A. C.) being, there is little doubt, an error of the copyist).

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May 22, Whitehall. Lords of Trade to Charles. If he has been offering the same terms to Stedman as those agreed upon with Dick, he has overstepped his instructions, he must assist Dick in every way possible.
B. T. N. S. vol. 34, p. 240

May 22, Whitehall. Same to Dick. Charles had only orders to ascertain the state of his (Dick's) correspondence with his agents; if he has engaged with any other agent, he has exceeded his instructions. 241

May 23, Whitehall. Same to Secretary of State (Bedford). Send report by Charles on the unsatisfactory progress made by Dick in regard to foreign Protestants for Nova Scotia. 242

(Duplicates are in A. & W. I. vol. 596, also two copies of letter from Charles, the letter from Charles is calendared at its date).

May 24, Halifax. State of the victualling in Nova Scotia from 18th November, 1749.
F. 145, B. T. N. S. vol. 9

May 24, Whitehall. Lords of Trade to Secretary of State (Bedford). List of French Protestant refugees in Jersey sent. The number falls very short of what was represented, many are manufacturers and many young children; it is stated they all declare they will not go to Nova Scotia.
B. T. N. S. vol. 34, p. 246

(The return in the letter of 2nd March, 1750, was 400, in the list mentioned above the number is given as 184. See 30th April, F. 143, B. T. N. S. vol. 9).

May 24, Whitehall. Report on the state of provisions in Halifax, made by Law in consequence of investigation arising out of report from Halifax of 18th November.

Same date. Verbal report of Hayes on the state of Nova Scotia.
B. T. Journals, vol. 58

May 29, Whitehall. Verbal report by Lewis on the state of Nova Scotia. vol. 58

May 29, Rotterdam. Dick to Lords of Trade, with details of his transactions. F. 140 B. T. N. S. vol 9. (Dated "N. S." that is new style, by the old style the 18th May).

Enclosed. Letters from Dick's agents. F. 141

May 29, Whitehall. Lords of Trade to Dick. Their satisfaction that he is embarking some of the 280 settlers he has secured and that he hopes to have his full complement in ten days. Urge him to use every exertion to make up the number he promised and to render ineffectual the false reports and calumnies respecting Nova Scotia. He may wait on the Board at his convenience and need not fear that he shall not meet with a favourable reception. B. T. N. S. vol. 34, p. 248

May 29, Whitehall. Same to Charles. Are surprised at his silence; see no occasion for his longer stay in Holland and desire him to return. 251

May 29, Whitehall. Same to Cornwallis. Introduce and recommend Spurrier, master of the "Ann" with 280 settlers. 250

June 1, Whitehall. R. Leveson Gower, to Lords of Trade. That a further number of Protestants should be engaged to go to Nova Scotia.
F. 147, B. T. N. S. vol. 9

June 4, Whitehall. Lords of Trade to Secretary of State (Bedford). Send copy of letter from Cornwallis of 30th April. The French have taken possession of Nova Scotia, from Chignecto to the St. John, have burned down Beaubassin and carried off the inhabitants with their effects and have armed them. They, with the Canadians, Indians, and other rebel French, compose a body of 2,500 men. Lawrence, sent to assert His Majesty's right to that part of the Province, was obliged to re-embark. La Corne and Loutre had threatened the inhabitants of Minas, Piziquid, Cobequid and other districts with a general massacre, so that they had joined the French. This makes the situation of the Province dangerous; it cannot be settled without a sufficient force for its defence. B. T. N. S. vol. 34, p. 252

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Enclosed. Cornwallis to Lords of Trade, 30th April, which see.

Phips to Cornwallis, 20th February, 1750 (old style 1749) which see at its date in 1750.

(Duplicates are in A. & W. I. vol. 596).

June 5, Rotterdam. Dick to Lords of Trade. That 280 passengers will be all embarked for Nova Scotia in about ten days. (New style, the old style should be 26th May). F. 146, B. T. N. S. vol. 9

June 5, Whitehall. Lords of Trade to Dick. He is to get his ship off as soon as possible, the season being so far advanced; Charles is ordered home. Their Lordships will let him know in good time, the determination as to next year's proceedings. B. T. N. S. vol. 34, p. 253

June 7, London. S. T. Jansen to Lords of Trade. For settlement of his claim on account of his ship "Baltimore." F. 156, B. T. N. S. vol. 9

June 8, Whitehall. Lords of Trade to Cornwallis. Have sent copies of his letters to Bedford and urged that vigorous measures should be taken for the security of the Province. Agree in the propriety of making a beginning of a settlement at Chignecto; although not successful it had brought to light the designs and strength of the French. Has no doubt when he has a sufficient force the attempt will succeed. The burning of towns and threats of a general massacre are marks of the insolence of the French. He is to use all possible means to prevent the French inhabitants from leaving the Province. Why payment of his bills was delayed; they have been paid out of the next grant. Two ships to leave shortly with about 480 people, who have been selected as likely to make useful settlers. The French refugees at Jersey refuse to go either to Nova Scotia or Ireland. Their Lordships are disappointed at the number of settlers obtained by Dick. B. T. N. S. vol. 34, p. 256

June 9, Rotterdam. Dick to Lords of Trade. Respecting the sailing of the "Anne" with emigrants for Nova Scotia. F. 153, B. T. N. S. vol. 9

June 9, Rotterdam. Charles to the same. Denies the truth of the charges made against him, that he had been offering terms to merchants, conflicting with those of Dick. F. 154

June 12, Rotterdam. Dick to the same. Sends translation of depositions against Stedman, for false representations, &c., to emigrants F. 155

June 14, Whitehall. Lords of Trade to Cornwallis. Had written on the 4th (should be the 8th), in answer to his letter of 30th April, confining the answer to the miscarriage of the expedition to Chignecto and the unwarrantable proceeding of the French. Are surprised they have received no account of the expenditure, which ought to have been laid before Parliament. The only way to conduct the new settlement successfully is to do so with the strictest economy, so as to secure the continuance of the good will of Parliament. The failure to receive accounts and vouchers they impute to the negligence of Davidson. His oppressive conduct in matters of trade &c. (The charges against Davidson are given in detail). He (Cornwallis) is to discourage the excessive use of rum. The issue of provisions to settlers and others, in violation of instructions, for which they have yet received no reason. Comment on the large quantities of rum and molasses charged; as Davidson deals in these articles, they suspect great mismanagement. Direct him (Cornwallis) to make the nicest inquiry into all matters relating to public expenditure. The contract with the "Alderney" carrying passengers. The necessity for an example to deter the French inhabitants from joining the Indians in hostilities. The disobedience of Capts. Gilman and Gorham; only officers are to be employed who can be depended upon. His forming the settlers into a militia approved of, but he is not to harass them with too frequent exercises; the wisdom of not subjecting the settlers to martial law. As soon as the regiment arrives from Ireland, he is to take possession of and fortify Chignecto, and, if secured, he is to form a settlement there

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this year. He is not to make a settlement on the other side of Bedford Bay at the public expense. The excessive cost of boards due to the neglect of Gilman; the saw-mills to be worked and Gilman discharged, unless he fulfil his engagement with exactness. The importance of the courts of jurisdiction, which he is estabishing. Are doubtful of the propriety of appointing a clerk of the market; care is to be taken that it be not attended with abuse. They shall be concerned if any part of the letter should create uneasiness. B. T. N. S. vol. 34, p. 261

June 19, Rotterdam. Charles to Lords of Trade. Dick's representations are not correct and his expectations fallacious, as he has no passengers yet embarked. F. 157, B. T. N. S. vol. 9

June 16, Boston. Hugh Davidson to Lord Dupplin. Had been sent to Boston to obtain money and make arrangements; defends himself against charges of wrong-doing in the performance of his duty. Account of the state of affairs at Chignecto; desertion; application from the French inhabitants for leave to retire, &c., substantially as in letter from Cornwallis of 10th July (G. 1). The declared inability of Massachusetts to help, the bad state of cultivation and the system of buying and holding lands for an advance. Has sent back money and tents with the sloop he arrived in; the prosperous fishing; naval movements. G. 21, B. T. N. S. vol. 10

June 17, Halifax. Cornwallis to Secretary of State (Bedford). Thanks for the King's goodness in appointing him to succeed Philipps. Refers to previous letters to show the reasonableness of his complaints against the French; the copies of letters sent him agree with those of LaJonquière. Has received no assistance from New England; has recalled part of his own regiment from Newfoundland and ordered two companies from St. John. On the arrival of the reinforcements expected shall lose no time in erecting a fort and making a settlement on the isthmus of Chenecto. Trusts that orders may be sent from France for the withdrawal of LaJonquière's detachment, otherwise there may be consequences of an extraordinary kind during a time of profound peace. The retention of prisoners by the French on various pretexts. A brigantine is at La Have with French soldiers. Calls attention to the insufficiency of the sum voted by Parliament for the service of the Province and the cause. Sends minutes of Council. A. & W. I. vol. 31, p. 135

June 19, Rotterdam. Dick to Lords of Trade. The "Anne" nearly ready for sea, but cannot proceed before Tuesday, owing to some dispute between the Custom House and the West India Company. F. 158, B. T. N. S. vol. 9

June 21, Admiralty. Admiralty to the same. A pass for the "Anne" has been sent to the Collector at Portsmouth. F. 159

June 22, Boston. Davidson to the same. Further respecting money matters. G. 22, B. T. N. S. vol. 10

June 23, Boston. Phips to Secretary of State (Bedford). The agreement for the mutual release of Indian and other prisoners, held by the Governor of Canada and the colonies of New England; all the Indian prisoners held by Massachusetts had at once been given up on receipt of the treaty, but the French still retained those they had in their hands and the Governor wrote that two were dead, the others had joined the Roman Catholic religion, which was a reason for not dismissing them. A. & W. I. vol. 63, p. 185

June 25, Rotterdam. Dick to Lords of Trade. Sends list of passengers, with bill of lading, and gives some particulars of them. F. 160, B. T. N. S. vol. 9

List. F. 165

Obligations from the passengers to Dick for money due him. F. 166

Extracts from Dick's correspondence. F. 168

June 26, Whitehall. Lords of Trade to Dick. Are satisfied with his conduct. B. T. N. S. vol. 34, p. 288

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June 26, Whitehall. Lords of Trade to Cornwallis. Send list of passengers by the "Anne" and other papers. Recommend to his attention John Eberhard Klager, a man of fortune and figure in his own country. To treat the foreign Protestants in the kindest manner. Dick has entrusted the management of his affairs to Davidson; he (Cornwallis) is to take care that Dick does not suffer loss in regard to money advanced to those who could not pay their own passages. They cannot object to Davidson's taking five per cent for managing Dick's business, but it ought to be done as part of his public duty without commission. 285

June 29, Rotterdam. Dick to Lords of Trade. Capt. Spurrier will sail to-day from Helvoet. Sends copy of his instructions. F. 161, B. T. N. S. vol. 9

Enclosed. Instructions and list of passengers 312 in all. F. 162

July 1. Receipt from Druilhet, storekeeper, for four quintals of tobacco from Jallin, for the King's service, to be paid for by the Treasury. A. & W. I. vol. 486

July 4, Whitehall. Lords of Trade to Secretary of State (Bedford). Have been examining their books on the claim to the whole Province of Acadia or Nova Scotia and other territories, &c. A. & W. I. vol. 604

July 4, London. Jansen to Lords of Trade. For settlement of his claim on account of the ship "Baltimore." F. 163, B. T. N. S. vol. 9

(A previous application was made on the 7th June, which see.)

July 6, Plymouth. James Kinselagh to Lords of Trade. The "Alderney" had been obliged to put in owing to contrary winds. The captain has laid in provisions, &c., for which he has drawn on the owners. F. 164, B. T. N. S. vol. 9

July 16, Halifax. Cornwallis to the same. He has drawn for services. A list is given. G. 9, B. T. N. S. vol. 10

July 17, Whitehall. Lords of Trade to Secretary of State (Bedford). Will prepare instructions to the commissaries, when commissions are received. 18th. Have prepared instructions for Shirley and Mildmay, commissaries to treat with the French for the settlement of questions arising under the treaty of Utrecht. A. & W. I. vol. 604

July 20, Halifax. Davidson to Dupplin. Applies for an investigation into his accounts, the savings that have been effected by his management. G. 10, B. T. N. S. vol. 10

July 24, Halifax. Cornwallis to Lords of Trade. Had received letters respecting the estimates for the colony, amounting to £76,476 3s. 10d., the sum of £36,000 having been voted for the "exceedings" and the rest for the current year. Shall account regularly and now sends a general abstract and particular account. Defends his management of money affairs. It will be impossible not to exceed the grant for this year; among other expenses are the erection of a fort at Chignecto, the greatest thing that can be done for the Province and a strong garrison there. He proposes to have another settlement on the other side of the harbour. With the help of the regiment asked for and of two companies he has ordered from St. John, has no doubt he can clear the isthmus of Indians. Hopes that before then orders will be sent from France for the detachment from Canada to retire, as he should be sorry to take measures inconsistent with peace. Is sensible of the great importance of securing friendship with the Indians. Has begun to clear George's Island; proposes to have block houses and batteries on it. The church to cost £1,000, besides other works. The saw-mill let to Clapham; 30,000 bricks have been made, but no limestone has been found; six hogsheads of lime are used daily. Asks if the building of a meeting-house for dissenters, of a court-house, of a prison and of a powder magazine is to be stopped, if not, how is he to raise the money? Suggests that an arrangement might be made with a merchant in London to honour his bills. Emissaries and agents from Chignecto, have been inducing soldiers to desert; of 15

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deserters, nine were taken, three hanged and two shot, the chief agent and two spies taken and to be tried. The priests have offered several hundred pistoles as a ransom for the agent. Proposals of the settlers at Annapolis to retire; they have been so well used that only bigotry can induce them to take this step. The addition of British and foreign Protestants is a valuable acquisition to the colony. Sloops of war wanted for the Bay of Fundy and Baie Verte; the "Hound" is to visit the mouth of the St. John, as a brigantine filled with French soldiers has been spoken off La Have. The arrangement he has made for the pay of the transports. Halifax is increasing; 10,000 quintals of fish are now ready for exportation, the clearing of land is, however, small. "At "Chignecto the settlers will sit down upon as good Land as in the World, "and reap, even this year, without having sown." The building of magazines, storehouses, &c., at Halifax. Public accounts to be examined by a committee. G. 1, B. T. N. S. vol. 10

Enclosed. Journal of the proceedings of the detachment after entering the Bason of Chignecto. G. 2

Correspondence respecting money arrangements, &c. G. 4 to G. 7

(On the 3rd September, the Lords of Trade sent a copy of the letter to the Secretary of State. A. & W. I. vol. 596.)

August 5, Port La Joye. Augustin Doucet to Madame Languedoc (in French). Had settled in Acadia, but had been obliged to fly from the domination of the English. The King (of France) was to transport and feed them. If Acadia is not to return to France, he will bring his family to Quebec. G. 4, B. T. N. S. vol. 10

(See also A. & W. I. vol. 486, where the letter is signed Doucet and addressed: "Madam Langedo de meurran de au Sau des Mat Lot a que "Bec." Addressed inside to "Ma chere tante." The letter is in the same handwriting as other letters, one of which is signed "LaMontaigne." See also A. & W. I. vol. 596).

August 5, St. John's Island. La Montaigne (in French) to his mother, but addressed to "Clemard Racine, dans la Rhue de Saint Louis, Quebec." A. & W. I. vol. 486

August 6, St. John's Island. Jean Lessard to Miss Cadeoix, St. Roc. vol. 486

A letter (unsigned) follows addressed on a separate envelope to "M. Rogé, Sergent d'affaire dans les troupes de Quebec."

Letter (undated) from Angelique Laporte Lavalert to her father "M. Lassote, negotient a la Baxe ville (Basseville) a Quebec."

Lavaleur (undated) to Rogé, sergent, &c.

August 6, Port La Joye. De Goutin (in French) to Bigot. Complains of the want of provisions for the Acadians, who are constantly arriving; the only hope is in him (Bigot). G. 14, B. T. N. S. vol. 10

(See also A. & W. I. vol. 486 and vol. 596.)

August 6, St. John's Island. Challo Ecarne (2 in French). to Manon Cadeoix, Sent Roque (St. Roc) Quebec. A. & W. I. vol. 486

August 6, St. John's Island. Jean Lescard (in French) to Widow Lescard (his mother) at Quebec. vol. 486

August 6, Port La Joye. Denis de Bonnaventure to Bigot (in French). Has been informed from Louisbourg that there is no flour to spare there, has sent to Jedayk (Shédiac) to ascertain if he could obtain there 1,500 quarts (quintals?) of flour and about 800 quintals of vegetables. The number of persons arriving. The quantity of flour required is 3,600 quintals, of which he has 1,600. His report in spring that Louisbourg could not furnish supplies has not turned out to be false. The assistance rendered by La Corne's schooner and by the vessel sent by Loutre. Bourdon had

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seen vessels entering Louisbourg and had gone there to inquire what they were. G. 14, B. T. N. S. vol. 10

(See also A. & W. I. vol. 486 and vol. 596).

August 7, Port La Joye. De Goutin to Petit (in French), Montreal. Desires to have his children's share of the property of his father-in-law, Lacorne, realized. A. & W. I. vol. 486

August 7, Port La Joye. Same to M. Esteber, garde des magazines du Roy, Quebec. vol. 486

August 7, Port La Joye. Same to M. Boilly, negotiant, Varenne. vol. 486

August 8, Port La Joye. Four letters (in French), one signed Charlot Lesar, the others unsigned, two to his mother. "La veuve Lesar demeuran a Palai a "que Bec"; one to "Madame Badau a sain roc a que Bec," the other to "franscoi dit Sansouci de muran au palai dans le cartie du palai a que Bec." vol. 486

August 14, Memeramcouc. Deslignery (in French) to Madame Deslignoris, Montreal. (The spelling of the signature and address are given as in the original). He is tired of the detestable country. vol. 486

August 14, Melamcouque. Chaussegros de Lèry to his father, addressed as "ingenieur en chef en Canada." vol. 486

August 14, Halifax. Cornwallis to Lords of Trade. Advice of bills drawn on 16th July and 5th and 14th August, specifying the services. G. 12, B. T. N. S. vol. 10

August 15, Baye Verte. LeLoutre (in French) to Bigot. Is sending the "London," by which Bonnaventure is writing for provisions, which he cannot obtain at Louisbourg. Had the four vessels arrived that were promised, flour could have been sent to St. John Island, but that cannot be done now, there are so many families to feed, and in autumn there will be an excess of 60 families from Beaubassin, who have not sown. The inhabitants of Cobequid must bear their part by leaving for Baie Verte as soon as they have the news from France; there are about 100 families there; others may come from Minas, if they can escape; these would perish if not assisted with food. Is impatiently expecting news from France of a settlement of the boundaries. The Carribas, who were on the Chebucto road, have taken the letters written by the English to Minas and Port Royal, showing that they are making ready to settle at Chignecto and that Rous, with other two vessels, is going to Baie Verte. The letters shall be sent to him (Bigot) by the first courier. If all the Indians were French, there would be no trouble, but the wretches are getting tired and will perhaps leave at the moment of greatest need. The two vessels which were cruising on the banks have gone into Louisbourg. Arrangements must be made either at Echedayk (Shediac) or at Gapareau on Baie Verte for houses and lodgings for soldiers and militia. Is obtaining tobacco for Lacorne. A. & W. I. vol. 596

(See also vol. 486; copy enclosed in Lords of Trade's letter of 10th October, B. T. N. S. vol. 34, p. 291.)

August 15, Memeranexoupe. Duchambon to Lagorgandière, Québec. A. & W. I. vol. 486

August 15, Baie Verte. LeLoutre (in French) to DeGoutain (Goutin). Sends orders (two) for the payment of two habitans for supplies to the Indians. vol. 486

August 15, Baie Verte. LeLoutre to Denis de Bonaventure, commandant at Port la Joye. He is to supply Jallain with brandy and molasses, for which he will be paid at Quebec. vol. 486

August 15, Baie Verte. Same to Paul Doirout at Port la Joye. Sends two certificates for supplies furnished to the Indians to be handed to the creditors. vol. 486

August 15, "Hound" off Minas. Capt. Dove to Capt. Rous. Account of his visit to the St. John River and his reception by the French officers. A. & W. I. vol. 31, p. 144

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ust 16, Receipt by LeLoutre for 314 pounds of tobacco from Capt. Jallain,
Verte. to be paid for at Quebec, on presentation of receipt. vol. 486

ust 18, Cornwallis to Lords of Trade. Asks that his bills for the pay and
fax. subsistence of his regiment be honoured. G. 53, B. T. N. S. vol. 10

ust 19, Same to the same. The military and naval arrangements for taking
fax. possession of Chignecto. The French brigantine was, as suspected, bound for St. John River with men, provisions and stores from Quebec and Louisbourg. Capt. Cobb was sent there with the "York," where he found Boisvert with a French detachment and a considerable body of Indians; he treated Cobb with the greatest insolence, fired on his boats, insisted on him quitting the harbour, as it belonged to the French King, and threatened to send the Indians to destroy him and his crew. Having enticed him (Cobb) on shore with a flag of truce, he was taken prisoner until his vessel should be gone three days, making him send order to his vessel not to molest the brigantine. The mate held the French officers sent with this message prisoners till Cobb should be released, which was done on his leaving his commission as a pledge for the release of the French officers, but when this was done the commission was not returned. Cobb then took six prisoners from the brigantine and brought them to Halifax; the five Canadians shall be sent to Louisbourg, but the other, an Irishman, sent on board Capt. Rous's vessel. Dove's lieutenant, who went ashore under a flag of truce, was also taken prisoner and only released on the promise that the six prisoners should be set at liberty. A French sloop taken by Le Cras, loaded with arms, provisions, &c., having four deserters on board. Papers sent showing that the proceedings on the part of the French are now openly avowed. Arrival of the "Alderney" with 35 settlers. Their late arrival distresses him, but he will make them as easy as possible. Provisions ordered for the troops.

G. 13, B. T. N. S. vol. 10

Enclosed. Letters dated 5th, 6th and 15th August calendared at their respective dates.

(Copies of letter and enclosures were sent to Secretary of State on 10th October. A. & W. I. vol. 596.)

ust 19, Cornwallis to Secretary of State (Bedford). Sends account of events
fax. occurring since his last letter. Sailing of Rous for Annapolis Royal; march of troops under Lawrence for Minas, to embark for Chignecto, carrying two blockhouses and three large barrack frames. Details of the action of the French brigantine off La Have. Capture of a French sloop, whose papers showed she had been employed to carry stores and ammunition to Loutre and his Indians. Sends documents relating to the vessels and cargo. A. & W. I. vol. 31, p. 138

Enclosed. Silvanus Cobb to Cornwallis, "On board the sloop York," 7th August. Account of his cruise, his treatment by the French officers, &c. 139

Extracts from letters taken on board the French schooner. 140

(These are copies of letters of 5th, 6th and 15th August in G. 14 calendared at their dates.)

Invoice of goods. 141

ust 31, Cornwallis to Secretary of State (Halifax). Arrival of the "Alderney."
fax. Reports having drawn on his own agent, to pay merchant from whom he had borrowed, as he refused to take bills on Kilby.

G. 44, B. T. N. S. vol. 10

ember 1, Same to Lords of Trade. His distress from want of dollars; had
fax. obtained some from the master of a vessel from Boston, put into Halifax in distress and some since from a passenger. Begs that the bill for the amount due to the master may be met; for the other he had drawn on his agent.

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September 3, Whitehall. Lords of Trade to Secretary of State (Bedford). Send extract from letter from Cornwallis, dated 10th July, on the state of affairs in Nova Scotia. B. T. N. S. vol. 34, p. 289

(A copy of this letter and enclosure is in A. & W. I. vol. 596.)

September 8, Rotterdam. Dick to Lords of Trade. The arrangements he is making for next year's emigration. Encloses copy of an advertisement, of which he proposes to print some thousands in German and French, but desires to have approval before doing so. Applications from 80 or 90 Roman Catholic families referred to their Lordships. G. 11, B. T. N. S. vol. 10

September 16, Halifax. Cornwallis to the same. Respecting Davidson's money transactions. G. 23

September 21, Gorham's Point. Pierre Christian Burger, minister to the German Swiss in Nova Scotia, to the same. Complains of his treatment by the agent on board of the "Alderney." G. 34

September 22, Halifax. Cornwallis to the same. Capture of Chignecto and gallant conduct of Lawrence. LaCorne desired an interview in the middle of the river, but was told he had no business where he was. The chastisement of the Indians may keep them quiet. Respecting the finances of the Province. Asks for the appointment of a lieut.-governor; Mascarene is senior in the Council, How next, but he (Cornwallis) understands that Mascarene is not to be allowed to keep his lieut.-governorship of Annapolis. If that be so, he will leave the country and is, besides, worn out. How is useful, but not for that post, which should be held by a military man, recommends Lieut.-Colonel Lawrence. Calls attention to the financial affairs of the Province. G. 24

Enclosed. Report of a committee appointed to examine Davidson's accounts. G. 25

September 22, Halifax. Cornwallis to Lords of Trade. List of bills drawn. G. 27

September 22, Halifax. Same to the same. Cannot send the Germans to the other side of the Province so late in the season; shall make them as easy as possible for the winter. G. 37

September 24. Halifax. Same to the same. Advice of bills drawn. G. 38

September 25, Rotterdam. Dick to the same. Regrets the delay ordered by their Lordships in printing advertisement to foreign Protestants. G. 15

September 26, Whitehall. Treasury minute that only £9,941. 7. 9 of the sum voted for Nova Scotia remain unissued. G. 17

September 27, Halifax. Otis Little to Lords of Trade. Information as to the distribution of provisions. G. 28

September 27, Halifax. Cornwallis to the same. This is an error in date, as it is undoubtedly the same letter as is dated the 22nd (which see). In the covering letter the date (22nd September) is correctly given but the enclosure has been by error dated 27th. A. & W. I. vol. 596

September 30, Halifax. Cornwallis to Lords of Trade. The contract with Chauncey Townsend to supply provisions has not been complied with, so that he (Cornwallis) had been obliged to purchase at a cost of £547. 10. Shall be obliged to purchase more if those reported to be sent by Townsend do not soon arrive. Necessity for a naval force, list of bills drawn. G. 46, B. T. N. S. vol. 10

September 30, Halifax. Same to Secretary of State (Bedford). The letters taken on board the French vessel will show the justice of his complaints respecting the conduct of the French governor. Sends copy of letter from Desherbiers, Governor of Louisbourg, whose conduct has been very different from that of La Jonquière. Again urges the necessity of having a greater force. The large naval force the French have at Cape Breton. A. & W. I. vol. 31, p. 145

(A duplicate, dated 1st October is at p. 155).

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Enclosed. Desherbiers to Cornwallis, dated Louisbourg, 27th September. Is only imperfectly acquainted with what is passing in Acadia, so that he does not know the reason for the complaints respecting the Governor of Canada. Calls attention to the seizure of some French fishing boats. The Canso islands, near which the seizures were made, he has been ordered to retain till the limits are marked out. 146

(A duplicate is at p. 158).

Answer by Cornwallis, giving the other side of the story, which, he maintained, justified him and not Desherbiers in complaining. 151

(A duplicate at p. 159).

October 4, New York. De Lancey & Watts to Lords of Trade. Complain that bills drawn for advances made for the service of Nova Scotia had been protested and enclosing documents respecting the advances. G. 40, B. T. N. S. vol. 10

October 6, Rotterdam. Dick to the same. In consequence of reports that Cornwallis had enrolled the foreign settlers in the militia suggests that a paragraph be published from their Lordships contradicting the report. G. 16

October 9, Louisbourg. Desherbiers to Cornwallis. Arrival of a boat with 37 prisoners sent by Loutre who had, by the sergeant's account, ransomed them from the Indians, keeping as hostages one lieutenant and two cadets till the money be paid. A. & W. I. vol. 31, p. 150

(A duplicate at p. 156).

October 9, Whitehall. Lords of Trade to Dick. Are satisfied with his having sent agents into Germany, &c. B. T. N. S. vol. 34. p. 290

October 10, Whitehall. Same to Secretary of State (Bedford). Send copy of letter from Cornwallis of 19th August, reporting the arrival from Ireland of the regiment of Lascelles and the proceedings of the French and Indians; send also copies of letters found on board a French ship, carrying stores of all kinds, arms, &c., from Quebec to Loutre and the Indians, which was captured by a sloop of war. 291

Enclosed. Copies of letter from Cornwallis of 19th August, and of captured letters of 5th, 6th and 15th August, calendared at their respective dates (copies of this letter and of the enclosures are in A. & W. I. vol. 596).

October 16, Ordnance. Ordnance to Treasury. Enclose letter from Cornwallis (date not given) that he has drawn for the building of powder magazines. As the Board has no money for that service, ask for directions how they are to deal with the bills. H. 15, B. T. N. S. vol. 13.

Letter from Cornwallis follows.

(For an account of the work for which the bills are drawn, compare letter to Lords of Trade of 24th July, marked G. 1, B. T. N. S. vol. 10).

October— Undated memorandum by Dick, complaining of the conduct of Charles sent to assist him in the shipment of emigrants to Nova Scotia. A note dated "October" says that Charles attended at the Board of Trade and denied the charges. G. 18, B. T. N. S. vol. 10

An answer is attached. G. 19

(The transactions between Dick and Charles will be found in the correspondence in May).

November 2, Halifax. Answer by Davidson to the charges against him in relation to the finances of Nova Scotia. G. 45–46. B. T. N. S. vol. 10

November 3, Halifax. Cornwallis to Desherbiers (in French.) Sends him 50 Frenchmen, including officers, belonging to the brigantine "St. François." The violent conduct of Verger. Cannot understand the Governor of Canada sending vessels with goods contraband of war to His Britannic Majesty's possessions during a time of peace. A. & W. I. vol. 31, p. 157

November 5, Whitehall. Lords of Trade to Secretary of State (Bedford). Send extract from letter from Cornwallis respecting the expedition to Chignecto under Lawrence. B. T. N. S. vol. 34. p. 293

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(The letter from which extract is sent is dated 22nd September, at which date it is calendared. Copies of letter and enclosure in A. & W. I. vol. 596).

November 8, Whitehall. Verbal account by Davidson of the State of Nova Scotia and of the Palatine and other settlers. B. T. Journals, vol. 5[illegible]

November 9, Whitehall. Articles of charge against Davidson, Secretary for Nova Scotia. B. T. N. S. vol. 34, p. 294

November 12. Du Pasquier to Lords of Trade. Proposal to transport to and settle 300 Swiss Protestants in Nova Scotia. G. 35. B. T. N. S. vol. 10

November 13, Rotterdam Dick to the same. Encloses letters from his agents in Saxony, respecting their expectation to get a number of foreign Protestants for Nova Scotia. G. 36

November 20, Rotterdam. Du Pasquier to the same. Sends copy of letter from Capt. Spurrier of the "Anne," that he had arrived safely with his passengers at Halifax. G. 41

(Only the title of the enclosure is given marked G. 42).

November 25, Quebec. Jonquière to Cornwallis. Enclosed in letter from Cornwallis of 8th February, 1751.

November 26, Whitehall. Lords of Trade to Secretary of State (Bedford). Are preparing a memorial in answer to that of the French commissaries on the right of Great Britain to Acadia or Nova Scotia. Answers received from Shirley A. & W. I. vol. 526

November 27, Halifax. Cornwallis to Lords of Trade. His last account of the behaviour of the French is now confirmed. The "Albany" fell in with a French frigate and schooner off Cape Sable, loaded with provisions and warlike stores from Quebec for the Indians. The frigate was captured after an action, in which a midshipman and two sailors were killed on board the "Albany"; the schooner escaped to St. John. This is the second vessel captured, sent by the Governor of Quebec loaded with arms, &c., professedly for the Indians; such a proceeding is in direct violation of the treaty. How, who had gone to Chignecto, to negotiate peace with the Indians was shot whilst in conference with Le Loutre, La Corne and other French officers under the protection of a flag of truce. In spite of the difficulties of taking post at Chignecto, these have been overcome by the exertions of Lawrence and How, the fort finished, barracks up and provisions laid in for the winter. Lawrence reports it to be a fine fertile country; shall send additional men in spring. Cobequid must also be secured. Priests should be sent over, probably from Germany or Holland, for so long as the French priests remain there will always be trouble. The expenses frighten him, but till the peninsula is secured cannot reduce the expense for the troops; after that hopes to reduce the expense within bounds. St. George's Island has this year been fortified and secured. Has settled the emigrants as well as he could; the Germans were sickly, many dead; most of them were miserable wretches; has employed them on public works. Since the establishment at Chignecto, no Indians have appeared at Halifax; flatters himself they will grow tired and sue for peace; their demands, or rather those of their priests, are preposterous. The expense the French have been at in keeping these wretches together and in supporting the inhabitants; this year they have sent eight or ten vessels with provisions and warlike stores to Baie Verte and St. John river. The bad state of the money affairs of the colony; the mischievous trade carried on by the New Englanders with Louisbourg, which they supply with every necessary and where they obtain rum and molasses which they run in by collusion with the custom-house officials. Suggests sending base dollars for currency in the Province as they would remain there. Some Boston men, who made all their money in the public service, because they have not the supplying of every thing are doing, all the mischief

50. they can. Apthorp and Handcock, made rich by public money, are wanton in their insolent demands, and because these are not complied with, they depreciate the credit of the Province. Green appointed treasurer. The uneasiness he (Cornwallis) feels at the expenditure; there being no ordnance establishment at Halifax, he is obliged to supply the troops with everything at the expense of the colony, whilst Annapolis Royal is well attended to; asks that Halifax be also put under the Board of Ordnance. Messrs. Delancey & Watts, of New York, complain of the conduct to them of Kilby, the agent. The good qualities of the Swiss; the more that come the better, but all should be sent early. In spite of obstructions has no doubt, if properly supported, he can make the colony answer all expectations. G. 54, B. T. N. S. vol. 11

(An extract was sent to the Secretary of State, on 24th January, 1751, A. & W. I. vol. 596. See also B. T. N. S. vol. 34, p. 330.

Enclosed. Depositions respecting the action and capture of the French brigantine by Capt. Rous. G. 55, B. T. N. S. vol. 11

Decree of the Admiralty Court against the French brigantine "St. François" seized by Capt. Rous. G. 56

ber 27. Cornwallis to Secretary of State. Letter similar to that addressed to the Lords of Trade. A. & W. I. vol. 31

(Besides duplicates of the enclosures in the letter to the Lords of Trade, there are copies of the minutes of Council, beginning at p. 160 of A. & W. I. vol. 31).

ber 28. Requisitions for stationery and for intrenching tools. G. 64, G. 65, B. T. N. S. vol. 11

ber 30. Cornwallis to Lords of Trade. List of bills drawn, amounting to £6,928. 8s. 6d., for which regular vouchers shall be sent. G. 57

ber 12. Treasury to the same. Send memorials from Chauncey Townsend, contractor, and Kilby, agent for Nova Scotia. G. 47

ber 14. Same to the same. Transmit demands from Cornwallis, for the consideration of their Lordships. G. 48

ber 18. Verbal report of Sir Danvers Osborn respecting Davidson's accounts. B. T. Journals, vol. 58

ber 18. Lords of Trade to Treasury. Report on Townsend's claim on account of his contract for supplying provisions to Nova Scotia. B. T. N. S. vol. 34, p. 299

Another report on a subsequent memorial from Townsend. 305

Memorials from William Foye and Otis Little, who served in the expedition against Annapolis, for pay during their service as officers, for commissions, or for half pay. The Order in Council authorizing the raising of Colonial troops is appended. A. & W. I. vol. 63, pp. 186, 187, 188

John Blair to Gellibrand. Scheme for the defence of Nova Scotia. G. 51, B. T. N. S. vol 10

Instructions to William Shirley and Wiliam Mildmay, appointed under the Great Seal, to arrange with the French commissaries respecting the disputes with France. A. & W. I. vol. 598, among the undated papers.

(No record can be found of the appointment of Shirley and Mildmay under the Great Seal, but a warrant was found providing for an allowance to each of them for £300, to begin on 16th January 1749–50, to settle about the indemnifications for prizes taken since the cessation of hostilities and to arrange the other disputes between Great Britain and France. The first statement (*memoire*) signed by Shirley and Mildmay, as commissioners, presented to the French commissioners is dated 21st September, 1750).

The rough draught of a proposal accompanies the instructions, for compromising the disputes between the Crowns of Great Britain and France, concerning the limits of Nova Scotia, &c. (The compromise suggested

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was the giving up of St. Lucia to France, and declaring Tobago, St. Vincent and Dominica neutral).

January 1, Halifax. Cornwallis to Lords of Trade. Had shipped ordnance at Annapolis on board the "Wren" which sailed thence six weeks ago and has not been since heard of. Ordnance to replace it will have to be supplied by their Lordships. G. 72, B. T. N. S. vol. 11

January 16, Whitehall. Lords of Trade to Secretary of State (Bedford). The plan they propose for the settlement of Nova Scotia. The progress of Halifax; upwards of £100,000 have been expended there on clearing ground, erecting habitations and building ships for the fishery, which has been carried on with such success, that even this year Great Britain will reap many thousands of pounds profit; the quantity and quality of the fish have fully realized expectations. General trade has likewise been opened and if every branch has not been entered into, especially the fur trade, it is owing to a war with the Indians. Courts of Judicature have been established. The perfidious conduct of the French and their encroachments; they have been inciting the Indians and His Majesty's French subjects to rebellion and to destroying whole villages. A party of regular troops from Canada have long been settled on the St. John, the fatal effects of which have been sensibly felt by the settlers. It is believed these regular troops have taken effectual measures to support their unjustifiable possessions; arms, provisions and support for the Indians have been sent from Canada without interruption, ships of war not having reached the coast till July, too late for the service for which they were destined. Timely and effectual suppport is needed for the Province, otherwise all its advantages will be transferred to France, which has always looked with a jealous eye on the Province. Of the five settlements proposed, only one has been carried into execution. At Chignecto the detachment of the regiment from Ireland arrived too late to allow of the settlers getting under cover before winter. New settlers must be sent early in Spring. Swiss are recommended as a sober and industrious people. A contract has been made with Dick, a merchant of Rotterdam, to secure foreign Protestants. Some of the Swiss who went to Nova Scotia have returned to invite their countrymen to join them and one of them has made an advantageous proposal that 300 Swiss be engaged for the service of government on terms which will effect a saving of £4,500 in wages, more than sufficient to pay their passages, &c. B. T. N. S. vol. 34, p. 303

(A copy is in A. & W. I. vol. 596).

January 18, Whitehall. Lords of Trade to Treasury. Send remarks on Alderman Baker's proposal for victualling the forces in Nova Scotia for the year 1751. 326

January 24, Whitehall. Same to Secretary of State (Bedford). Send extract of letter from Cornwallis, dated 27th November, 1750, reporting the capture by Captain Rous of the "Albany" of a French brigantine off Cape Sable, laden with provisions and warlike stores from Quebec. 330

Enclosed. Extract from letter from Cornwallis, 27th November, 1750, and depositions. The whole of the letter and depositions are calendared on the date of letter, 27th November.

(A duplicate of letter, with the enclosures is in A. & W. I. vol. 596).

January 26, Halifax. Cornwallis to Phips. Had received his letter of 17th, and is obliged to him for having communicated the information given by Davis to the General Court, wishes that body had reinforced Chignecto, he being unable to do so at present. Hopes the numbers of the French are not so great as represented, but even if they are he does not despair of repulsing them. Asks him and the Court to consider the importance to New England of Chignecto and every part of the Bay of Fundy, as what will injure Nova Scotia will injure New England. Urges him to send 200 men at the expense of New England and 200 more at the expense of

1751.

Nova Scotia, to be added to the force at Chignecto, by which the wicked designs of the French can be frustrated. G. 129, B. T. N. S. vol. 12, also A. & W. I. vol. 596, in which it is enclosed in letter from Lords of Trade to Secretary of State of 6th August, 1751.

January 30, Whitehall. Secretary of State, (Bedford) to Lords of Trade. Authorizes them to make a new contract with Dick for 1,000 foreign Protestants for Nova Scotia. G. 62, B. T. N. S. vol. 11

January 31, Boston. Address of the Lieut.-Governor, council and representatives of Massachusetts, to the King calling attention to the encroachments of the French in Nova Scotia and other territories. A. & W. I. vol. 63, p. 189

January 31, Treasury. Treasury to Lords of Trade. Transmit offer from Chauncey Townsend to furnish the settlers, &c., in Nova Scotia with provisions for 1751. The offer is with the letter. G. 63, B. T. N. S. vol. 11

February 1, Whitehall. Lords of Trade to Dick. Send complaint of the unsatisfactory class of settlers he had shipped. Arrangements proposed for this summer. Return of du Pasquier, a Swiss, with a proposal to take back 300 labouring men, their Lordships have recommended the acceptance of this proposal and the people are to be sent to Rotterdam to be shipped for Nova Scotia. If he (Dick) will contract to carry them for £5 a head, he shall have timely notice when to be ready. B. T. N. S. vol. 34, p. 331

Scale of provisions for 300 persons. 340

February 1, Halifax. Cornwallis to Lords of Trade. List of bills drawn, amounting to £7,585, 17s. 11d. G. 79, B. T. N. S. vol. 11

February 5, Halifax. Benjamin Green to Lords of Trade. Sends copies of papers relating to the seizure by Captain Rous of the schooner "Catharine." H. 35, B. T. N. S. vol. 13

Enclosed. The papers mentioned. H. 36. (The schooner was seized for carrying on an illicit trade).

February 5, Whitehall. Instructions to John Peter Robert, appointed to accompany du Pasquier and du Denier into Switzerland and to assist them in the execution of the proposal for carrying over 300 Swiss Protestants into Nova Scotia. B. T. N. S. vol. 34, p. 341

The commission to Robert, dated 6th February, follows. 347

Of the same date. Notification of privileges to be granted to such Swiss Protestants as shall settle in Nova Scotia according to Pasquier's proposal. 352

February 6, Whitehall. Lords of Trade to Secretary of State (Bedford). They have contracted with Dick to send to Nova Scotia 1,000 foreign Protestants and with du Pasquier for 300 Swiss. 348

(A duplicate is in A. & W. I. vol. 596).

February 7, Treasury. Only the title is given. "Letter from Mr. Scrope (Secretary to the "Treasury) dated 7th February, 1750–1, enclosing a mem. of King "Gould, Esq., late agent to Col. Cornwallis, with a Report thereupon." G. 66, B. T. N. S. vol. 11

February 8, Halifax. Cornwallis to Secretary of State (Bedford). Sends letter from the Governor of Quebec, who still continues his exorbitant demands. All is well at Chignecto. A. & W. I. vol. 31, p. 190

Enclosed. LaJonquière to Cornwallis (in French). Quebec, 25th November, 1750. Demands an explanation of the course taken with respect to the vessel captured and reasserting the right of the French King to lands occupied by his troops. 191

February 9. Minutes of Council from 20th December to date in margin. Memorial of justices for regulations for the courts. The minutes give chiefly these regulations, there being also report on site granted for a meeting house, fines for selling spirits and other offences, among these is the following entry: "Stephen Adams and Thomas Keys were examined before "the Council and found guilty of having reported false news to the "prejudice of this settlement and scandalous lies of His Excellency

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" the Governor; ordered that said Adams and Keys be whipt with "twenty stripes when His Excellency shall order the same to be " inflicted." A. & W. I. vol. 31, pp. 184 to 189

February 11, Boston. Message by Phips to the House of Representatives, Massachusetts. Had sent Cornwallis copy of declaration by Elisha Davis (see letter from Cornwallis of 26th January), respecting the designs of the French and Indians on Chignecto, on which he had received two letters from Cornwallis, which he lays before the House and recommends for serious consideration, that such measures may be taken as the House considers desirable for the safety of Nova Scotia, which is of so much importance to the security of Massachusetts.

G. 130, B. T. N. S. vol. 12, also in A. & W. I. vol. 596, enclosed to Secretary of State, 6th August.

On the following day the message was referred to a committee which reported on the 15th, that they should decline to send troops as requested either at the expense of Massachusetts or Nova Scotia, the present circumstances of Massachusetts not admitting of doing so. The resolution of the Assembly is at the end of the message, the report follows.

A. & W. I. vol. 596

(Copies of these documents were sent by the Lords of Trade to Secretary of State on 6th August).

February 11, Whitehall. Secretary of State (Bedford) to Lords of Trade. How money can be supplied to the contractor for engaging Swiss emigrants to go to Nova Scotia. G. 67. B. T. N. S. vol. 11

February 12, Whitehall. Lords of Trade to Treasury. Recommend that the offer of Townsend to victual 2,500 persons in Nova Scotia be accepted and that he receive a sum of money in advance. B. T. N. S. vol. 34, p. 358

February 14, Whitehall. Same to Messrs. Lullin. For a letter of credit on Berne in favour of Robert, for £900. 361

February 19, Whitehall. Expenditure for supporting and maintaining Nova Scotia.

Estimate for 1751.	£ 53,927. 14s. 4d.
Paid for 1749 and 1750	173,838. 2s. 3½d.
(This included transport of settlers and other extraordinary charges).	
Amount voted.....	116,255. 3s. 0d.
Excess over vote....	57,582. 19s. 3½d.

362 to 365

February 23, Rotterdam. Dick to Lords of Trade. Thanks for the renewal of his contract. Defends himself against the charges made in respect to the bad quality of the German emigrants sent, the over crowding on the voyage, &c.

G. 69, B. T. N. S. vol. 11

March 2, Rotterdam. Same to the same. Had already answered by his letter of the 23rd ult., their Lordships letter of the 15th. G. 70

March 7, Whitehall. Lords of Trade to Secretary of State (Bedford). The want of a naval force on the coasts of Nova Scotia; two ships of war of 50 or 40 guns each should be stationed there. The objects are thus stated: (1) The maintenance and preservation of the exclusive right to the fishery according to the limits described in the 12th Article of the treaty of Utrecht. (2) The security of the new settlement. (3) The defence and protection of His Majesty's rights against the encroachments which are carried on in violation of them in different parts of the Province. Each head is discussed at some length. B. T. N. S. vol. 34, p. 366

(A copy is in A. & W. I. vol. 596).

March 10, Nimeguen. J. P. Robert to Lords of Trade. Reports the progress he is making in his expedition for Swiss emigrants. G. 73, B. T. N. S. vol. 11

March 15, Whitehall. Lords of Trade to Holdernesse. Recommend Dick to His Lordship's favour. B. T. N. S. vol. 34, p. 374

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ch 15. Lords of Trade to Dick. Remarks and directions in relation to
tehall. foreign Protestants to be engaged to go to Nova Scotia.
B. T. N. S. vol. 34, p. 376
(A certificate that Dick is in the public service, is at the end of the
letter.) 389

ch 15, Lords of Trade to J. P. Robert. Dick has been written to; he has
tehall. answered that he will be of all the service he can. B. T. N. S. vol. 35, p. 1

ch 16, Dick to Lords of Trade. Reports the progress he is making in pro-
erdam. curing settlers. G. 71. B. T. N. S. vol. 11

ch 21, Lords of Trade to Henry Fox. The contractor for provisions has been
tehall. charging for non effectives in Nova Scotia. Suggest that directions be
given only to charge for efficients. B. T. N. S. vol. 35, p. 2

ch 22, Same to Cornwallis. Their uneasiness at not receiving accounts
tehall. removed by their arrival but without vouchers. Had been able to satisfy Parliament and to obtain the grant for the service of Nova Scotia; the necessity for making everything clear. How the grant is to be distributed and to what purposes savings may be applied; how these might be effected. Are sending 1,000 foreign Protestants from Holland, to be dispatched earlier than last year. Should send as many as he can spare to the peninsula. Hope also to send 300 Swiss Protestants; all labouring men; the benefit that will arise from the reduction in the cost of labour. Directions respecting provisions; bills drawn have not been protested but the payment postponed. How to preserve the credit of the Province; remarks respecting Kilby the agent. Steps are being taken to prevent illegal trade between the Northern Provinces and the French, &c. 3

ch 22, J. P. Robert to Lords of Trade. Continuation of the account of his
ıcfort. journey. G. 76, B. T. N. S. vol. 11

ch 23, Dick to the same. Complains of the false reports circulated respect-
erdam. ing Nova Scotia, and encloses documents in German with a translation on the subject. G. 74.

ch 26, Lords of Trade to Dick. Respecting the foreign Protestants whom
tehall. he has contracted to send to Nova Scotia, and the application of Crellius to Holdernesse for his favour and protection which were refused.
B. T. N. S. vol. 35, p. 35

ch 26, Aldworth to Lords of Trade. The King desires their presence at a
tehall. Council on the 28th, on matters relating to Nova Scotia.
G. 77

ch 27, Lords of Trade to Secretary of State (Newcastle). To direct the resi-
tehall. dent at Frankfort to confute the false reports raised by Crellius to the prejudice of Nova Scotia, and to assist Dick's agents.
B. T. N. S. vol. 35, p. 39

ch 30, Holdernesse to Lords of Trade. Shall give Dick all the assistance in
ne. his power. G. 75, B. T. N. S. vol. 11

il 4, Statement, addressed to Phips, by Phineas Stevens, of the designs of
on. the French against Nova Scotia, a party of 500 French and 100 Indians being sent there from Canada. The Governor told him (Stevens) that if he did not get a satisfactory answer from Cornwallis; he would declare war openly. He is trying to get another party of Indians; there are in all the tribes about 600 able men. The Governor of Canada has sent a belt of wampum to the St. François Indians. G. 128, B. T. N. S. vol. 12
Also in A. & W. I. vol. 596, where it is enclosed to the Secretary of State on 6th August.

il 5, Dick to Lords of Trade. Further respecting the arrangements for
terdam. procuring settlers for Nova Scotia. G. 84, B. T. N. S. vol. 11.
Other letters from Dick of subsequent dates on the same subject.
G. 85, G. 86, G. 87

1751.
April 11, Neufchatel. J. P. Robert to Lords of Trade. Continuation of the account of his proceedings in relation to emigration. G. 89, B. T. N. S. vol. 11
Other papers on the same subject follow. G. 94 contains a nominal list of the men, of whom there were 74, the total souls 229 shipped on board the "Speedwell"; G. 95 contains an acknowledgment of the sums due by them to Dick; G. 96 is letter to Cornwallis, recommending the captain of the "Speedwell" and stating that other two ships, the "Gale" and the "Jenny" would follow. The documents following the letter are marked G. 90 to G. 96.

April 13, Whitehall. Aldworth to Lords of Trade. The Secretary of State (Bedford) sends for consideration letter respecting commission to Robert and Pasquier for procuring men for Nova Scotia. G. 80, B. T. N. S. vol. 11

April 16, London. The case of Henry Blommart for the payment of money due for the charter of his ship to carry settlers to Nova Scotia. G. 78

April 20, Altona. John Peter Meyer to Lords of Trade. Respecting some German families desirous to go to Nova Scotia. G. 85

April 22, Whitehall. Lords of Trade to M. Pasquier (in French). Call attention to his extravagant promises to women and children and to his expressing the desire to enrol criminals among the settlers, to neither of which can their Lordships consent. He is to follow instructions strictly. B. T. N. S. vol. 35, p. 41

April 26, Whitehall. Same to Dick. Respecting his operations for obtaining foreign Protestants for Nova Scotia. 43

April 26, Halifax. Report of the trial of Lieut. Henry Heron for drunkenness, &c. A. & W. I. vol. 31, pp. 199 to 204

April 27, Rotterdam. Dick to Lords of Trade. Is getting a ship ready to carry 220 or 230 passengers to Nova Scotia. Asks that some one may be sent to fix a ventilator. G. 82, B. T. N. S. vol. 11

April 30, War Office. Secretary at War (Henry Fox) to Lords of Trade. The accounts of the contractors for supplying provisions to the troops in Nova Scotia have been examined; their Lordships are mistaken in thinking that any but effectives were charged for. G. 88

April 30, Whitehall. Lords of Trade to Dick. Their satisfaction that he has one ship ready to embark 230 people and is preparing another for 330 more. Sending out 560 at this season is better than double the number sent later and they trust he will use every endeavour to procure the whole 1,000 as soon as possible. Lord Halifax had received a letter from Pasquier that nine families were at Neufchatel desirous to go to Nova Scotia, whom he might take charge of; using Robert as his agent. Are indignant at the inhumanity of Capt. Spurrier of the ship sent out last year; desire that he (Dick) should proceed against him. In a postscript it is stated that the success of Dick in Germany is a satisfaction to their Lordships. Enclose letter from du Pasquier to Halifax, which gives little reason to believe that he will obtain the 300 people engaged for. B. T. N. S. vol. 35, p. 47

May 8, Whitehall. Same to J. P. Robert. Approve of his prudence and activity; having been informed by Villette of the difficulties of the undertaking, his success has succeeded their expectations. His answer respecting criminals approved of. 51

May 8. Commissioners for victualling the Navy to Lords of Trade. For lists of people landed from the "Baltimore" and the date of their being put on the victualling list, so as to check the master's accounts. G. 98, B. T. N. S. vol. 12

May 10, Whitehall. Lords of Trade to Dick. Are satisfied at hearing of the "Speedwell" being ready to sail and approve of his measures to remedy du Pasquier's disappointment. Respecting the payment of freight.—P. S. Word received of the sailing of the "Speedwell." To inform a person at

1751.

Amsterdam offering his services as engineer that the settlement is already supplied. B. T. N. S. vol. 35, p. 53

y 10, ufchatel. Robert to Lords of Trade. Is about to leave with 25 men. Encloses copy of letter to Villette explaining why so few were obtained. (The copy is attached.) G. 99, B. T. N. S. vol. 12

y 12. Dupasquier to Lords of Trade. Reports his proceedings in Switzerland. G. 81, B. T. N. S. vol. 11

y 15, hitehall. Lords of Trade to Commissioners for victualling the Navy. They have received a general return of the persons debarked at Nova Scotia, but not of those from each ship, or of the time the settlers were entered on the victualling books. B. T. N. S. vol. 35, p. 56

y 17, ufchatel. Robert to Lords of Trade. The difficulty of getting men, consequent on Dupasquier's proceedings. G. 97, B. T. N. S. vol. 12

y 27, lifax. Minutes of Council from 9th March to date in the margin. A. & W. I. vol. 31, pp. 193 to 198

ne 1, tterdam. Dick to Lords of Trade. Respecting the emigrants brought by Dupasquier; has made them sign an obligation which is enclosed. G. 102, B. T. N. S. vol. 12

Correspondence respecting the procuring and shipment of emigrants to Nova Scotia to G. 113 and G. 115 to G. 125.

ne 3, hitehall. Aldworth to Lords of Trade. Bedford sends letter from Villette relative to the proceedings of Dupasquier and Robert. G. 100, B. T. N. S. vol. 12

Enclosed. Villette's letter, Dupasquier and Robert had left about twelve days before with emigrants. Dupasquier is honest and well meaning but wants judgment; he had picked out 50 of the vilest fellows in the country, whom Robert refused to receive; the prudence of the latter; is well qualified for the work. List of 23 men enclosed. G. 101

ne 5, nagedis yal. Mascarene to Lords of Trade. Introduces and recommends Gorham for his services. Applies for leave to go to New England. H. 5, B. T. N. S. vol. 13

ne 6, ston. Information by John Dixey of his meeting a French ship, which sailed up the Bay of Fundy. A. & W. I. vol. 63, p. 191

ne 7, hitehall. Lords of Trade to Dick. Report of the agent on the state of the "Speedwell" is on the whole satisfactory, but some defects are pointed out. Charts of Nova Scotia cannot be supplied.—P. S. A person has been sent down to inspect the "Gate" and to examine into the complaints against du Pasquier for shipping goods clandestinely. B. T. N. S. vol. 35, p. 57

ne 14, hitehall. Same to Cornwallis. Are surprised they have received no account of the state of Nova Scotia, since 27th November. His last letter of 1st February, has only a list of bills drawn on the agent. Their uneasiness at reports of attacks by the French and Indians and of 500 troops being sent from Canada to reinforce LaCorne. These reports, as they cannot be contradicted, are believed to the disadvantage of the Colony. The letters sent by Armstrong and posted at Bristol were lost by the mail being robbed. Are also uneasy that bills for £6,000 had been drawn without advice; they must either violate the regulation by paying the bills or else throw discredit on the Colony by postponing payment. Further on the subject of payments. 60

ne 14, ndon. King Gould to Lords of Trade. For repayment of sums he had advanced for the regiment under the command of Cornwallis. G. 114, B. T. N. S. vol. 12

ne 24, alifax. Cornwallis to Lords of Trade. Is sorry for the great excess of expenditure but it could not be helped. Had there been only 300 or 400 Indians to contend with, he would have been ashamed of the exceedings, but the French have not only incited the Indians but have joined them

1751.

and behaved as if there were open war. Will retrench, though with regret. Failure in recruiting. Wishes the foreign Protestants may arrive in time as he believes he can settle them at Minas. Kilby's neglect to answer letters. The French give a reward to the Indians for every prisoner or scalp taken, and the Indians have threatened the inhabitants if they assist the English; had sent a detachment to Minas and Piziquid to bring the deputies but it had not yet returned with them. Has no force to stop the proceedings of the French, and is doubtful if he can prevent them from fortifying St. John and Beausejour. Were the Province secured settlers of substance would come, so that at present 1,000 regular troops would be better than 3,000 settlers. Is distracted between his desire to lessen expense and fear of losing the Province. Warns their Lordships that the £18,000 odds will by no means meet the cost of defence, if the expense is to be limited recommends that at least Halifax should be secured for the fishery as it is the best harbour in North America. Encloses Kinselayh's proposal for working a colliery.

G. 126, B. T. N. S. vol. 12

(Compare with copy sent by Lords of Trade to Secretary of State on 6th August. A. & W. I. vol. 596).

Enclosed. Resolution of Assembly of Massachusetts not to send men to Nova Scotia at present.

(Calendared after message of 11th February).

Statement by Stevens, 4th April.

Cornwallis to Phips, 26th January. These two papers are calendared at their dates.

Message by Phips to the Assembly of Massachusetts. Calendared 11th February,

June 24, Halifax. Cornwallis to Secretary of State (Bedford). Report received of the death of the Prince of Wales and of peace with Spain. Orders sent by the Governor of Canada to the Governor of Louisbourg to seize four sloops in reprisal for the French vessels seized for illicit traffic. The French building forts at various points in the Province; their evasive answers on the subject of the Indians, but through LeLoutre a premium is given to them for every scalp taken. Phips reports that a French ship of war of 36 guns and 300 men had gone to the Bay of Fundy.

A. & W. I. vol. 31, p. 205

June 25, Halifax. Same to Lords of Trade. Bills drawn, amounting to £8,018 10s. 10d.

G. 136, B. T. N. S. vol. 12

June 29, Halifax. Same to the same. He has been obliged to draw on Kilby for £3,000 on account of expenses for the expedition to Chignecto.

H. 6, B. T. N. S. vol. 13

June 30, Rotterdam. Notarial declaration by the master and mate of the "Ann" that the German emigrants to Nova Scotia had not been ill-treated on the voyage.

G. 138, B. T. N. S. vol. 12

July 1, Halifax. Cornwallis to Lords of Trade. Had been obliged to draw for £500, for the hire of the "Anson" and "Warren," employed on Government service in the Bay of Fundy and at Chignecto. H. 1, B. T. N. S. vol. 13

On the same date he advises that he has drawn for £429 8s. 3d. for the hire of the snow "Fair Lady," also on Government service.

H. 2, B. T. N. S. vol. 13

July 9, Whitehall. List of bills drawn by Cornwallis on Kilby, for the service of Nova Scotia, £6,498 sterling.

B. T. Journals, vol. 39

July 24, Halifax. Cornwallis to Lords of Trade. Arrival of French ships of war off Louisbourg, but no British fleet. As he cannot understand the design of sending such a force in time of peace, is uneasy about the sloops cruising in the Bay of Fundy. The "Albany," arrived from there, reports seeing a 56 gun ship and a frigate steering for St. John River. H. 3, B. T. N. S. vol. 13

The intelligence of the movements of the French fleet follows the letter.

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A letter on the same subject and same date to Secretary of State, with enclosure. A. & W. I. vol. 31, pp. 206, 207

30, ifax. Cornwallis to Lords of Trade. Sends Journal of H.M.S. "Tryal," containing information of the movements of the French fleet. A large French ship cruising off the harbour, supposed to be surveying the coast. H. 4, B. T. N. S. vol. 13

The Journal of the "Tryal" is in the same bundle. A copy is in A. & W. I. vol. 596.

ust 1, don. Dick to Lords of Trade. For payment on account of emigrants sent to Nova Scotia. G. 137, B. T. N. S. vol. 12

ust 6, itehall. Lords of Trade to Holdernesse. Transmit letter of 24th June from Cornwallis, with enclosures. B. T. N. S. vol. 35, p. 65

(The papers are in B. T. N. S. vol. 12, marked G. 126 to G. 130. They also follow copy of letter in A. & W. I. vol. 596, and are calendared at their respective dates).

ust 18, sbourg. Raymond to Cornwallis. Enclosed in letter of 1st September, which see.

ust 27, outh. Mascarene to Cornwallis. Had met the Indians at St. George, where everything was satisfactory. The Norrigwocks not being there the treaty with them was not concluded; the Penobscot Indians are to bring them in six weeks. The chief, Monjarrett, of the St. John Indians, promised to go to Halifax to conclude a peace, to bring in the Micmacs and to cease hostilities. H. 11, B. T. N. S. vol. 13

ust 27, ifax. Cornwallis to Raymond. Enclosed in letter of 1st September, which see.

ember 1, ifax. Cornwallis to Secretary of State (Bedford). Observations on a letter from the Board of Ordnance; how expense had arisen. Sends copy of letter from the Count de Raymond, Governor of Louisbourg, and answer. The ships of war not arrived. Asks to be relieved of his command. A. & W. I. vol. 31, p. 208

Enclosed. Raymond to Cornwallis, 18th August. Asks that New England fishermen be prevented from drying their fish on the Canso Islands. The commissioners are at work to settle the boundaries so that everything should remain quiet. 209

Answer, dated 27th August, calls attention to the fact of the French fishing at the Canso Islands, and even at Whitehead, these being undoubtedly within the limits of British possessions, and also that a French ship of war has been cruising off these coasts for ten or twelve days in succession. 210

Minutes of Council, 2nd and 11th July. 211

(A duplicate of the letter is at p. 214, but dated 4th September, followed by duplicate of the correspondence, pp. 215, 216.)

ember 4, ifax. Cornwallis to Lords of Trade. Note of bills he has been obliged to draw since the 31st of May. H. 7. B. T. N. S. vol. 13

ember 4, ifax. Same to the same. Defends himself against the charge of neglecting to send information to their Lordships. The skirmishes between the force at Chignecto and the Indians, supported by the French, were not new, and refers to letters on that point of which originals and duplicates were sent. Had a reinforcement been sent from Canada to La Corne, he would at once have written, but he did not hear of such a report till May, when he at once wrote. Calls attention to his demands for sea and land forces not attended to, whilst the French have had a fleet cruising off the coast all summer. A conference is to be held with the Indians in New England, at which Mascarene is to represent the Province; has a glimmering of hope for peace. The St. John Indians have accepted a belt, a sign of accommodation. The French inhabitants have great crops this year, which will be a benefit to the settlement. The Germans to be settled on the peninsula, where they will be in secu-

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rity. Dupasquier has brought only 20 Swiss, instead of 300 promised. Only one ship with Germans arrived who look better than the last; Dick says two more ships are coming, but they will be late. Has heard nothing of a settlement of the limits. The prospects of the fishery, for which, as well as for building ships, a bounty is offered. A great quantity of land cleared about the town and everything promises well. The great difficulties he has met with, asks leave to resign.
H. 8, B. T. N. S. vol. 13

September 4, Halifax. Cornwallis to Lords of Trade. Townsend cannot fulfil his contract for provisions; has ordered Baker's agent to supply for the winter, and will draw on Townsend. H. 9

Enclosed. Letters (two) from Townsend's agents, Levy and Franks that they will not ship provisions on account of Townsend, unless their bills are guaranteed. H. 10

Account of the quantity of provisions to be supplied by Townsend according to his contract, and statement of what has been actually received and shipped. H. 12

September 12, Halifax. Cornwallis to Lords of Trade. Advices of bills drawn for public works. There are 13 letters extending to the 26th. H. 22

Another letter of advice of 28th September. H. 24

September 30, Rotterdam. Account current of Dick in respect to the emigrants sent to Nova Scotia. H. 34

September 30, Halifax. Cornwallis to Lords of Trade. Has drawn for £60 in favour of Jackson and Usher for public works. H. 50

October 1, Louisbourg. Raymond to Cornwallis, enclosed by Cornwallis on 1st November, which see.

October 7, London. Memorial of Kilby, agent for Nova Scotia, for leave to apply to the Treasury for the payment of £11,008 0s. 7d. applied as stated.
G. 139, B. T. N. S. vol. 12

October 14, Boston. Malachy Salter to Lords of Trade. Transmits letter of advice that Cornwallis had drawn for £200 in his (Salter's) favour. Is drawing himself for £40 9s. 3d. damages of protest, &c. The letter of advice and notarial protest accompany the letter. H. 30, B. T. N. S. vol. 13

October 23, Whitehall. Lords of Trade to Treasury. Send account of the money granted by Parliament for Nova Scotia, with the application by Kilby, the agent, for authority to pay certain claims, so as to show the Treasury the true state of affairs. The governor has drawn more than was allotted to him. Send extracts from letters on the subject (see March 22nd, vol. 35, B. T. N. S. p. 3, and answer G. 126, vol. 12). Townsend has completed his contract, but is willing to accept in the meantime a sum to account.
B. T. N. S. vol. 35, p. 67

October 24, Halifax. Cornwallis to Lords of Trade. Has drawn for £100, in favour of Josiah Peirse, on account of public works. H. 51, B. T. N. S. vol. 13

Other advices follow of £100 in favour of John Dick and £50 in favour of John Rundle. H. 52, H. 53

October 31, Halifax. Cornwallis to Lords of Trade. Has drawn on Kilby for £300 on account, for the hire of the schooner "Cornwallis." Shall send account and in the meantime suspends payment of the rest of the claim.
H. 19

Enclosed. Memorial of owners of the "Cornwallis" for payment.
H. 20

November 1, Halifax. Cornwallis to Secretary of State (Holdernesse). Sends copy of letter from the Governor of Louisbourg respecting the French claim to the Canso Islands. He (Cornwallis) has agreed to ransom the prisoners from the Indians. The late arrival and speedy departure of the ships of war make their visits of little service. A. & W. I. vol. 31, p. 217

1751.

Enclosed. Count Raymond, 1st October, setting out the incontestable title of France to the Canso Islands. 218

(Duplicates at 219, 220.)

Certificate by Cornwallis of the deficiency of provisions under Townsend's contract. H. 37, B. T. N. S. vol. 13

An estimate follows. H. 38

vember 3, alifax. Cornwallis to Lords of Trade. Has heard nothing from the Indians; since Mascarene's letter (27th August), no acts of hostility have been committed; the French inhabitants would become good subjects, could the French missionaries be prevented from coming amongst them. Shall limit expenses; in that case the progress of the works must be slow. Has repaired the poor forts and raised some picketed works on George's Island. The report that the French were making a fort on the Cape Sable shore is groundless, but they lay claim to the Island of Canso, which he refuses to admit. The French building forts at various places, which they could not do unless by the assistance of the King's subjects in the Province, who supply them with everything. Merchants in New York, through their agents in Boston, are supplying Louisbourg with flour in large quantities. They and the merchants at Rhode Island taking their pay in rum and molasses, which they run into the colonies without paying duty. All the colonies, indeed, are carrying on this trade, without which Louisbourg could not subsist. Recommends the payment of Gould's bills for the subsistence of his (Cornwallis') regiment. Le Loutre having agreed to ransom Lieut. Hamilton and the other prisoners with the Indians, had accepted bills for their subsistence and ransom to end a cruel captivity. A difficulty has arisen from appointing a foreigner not naturalized to be a justice of peace; the exclusion of the Germans from such an office would include the prohibition to their holding lands; asks for a remedy. Ships ought to arrive early in spring, to be of use. They might safely winter in Halifax. Reminds their Lordships of his request for leave to resign. H. 16

Enclosed. List of expenses for the forts at Chignecto, Minas and Piziquid for 1752 signed by John Brewse, engineer. H. 17

List of bills drawn in September and October. H. 18

(An extract from the letter was sent to the Secretary of State on 14th January, 1752).

vember 18, alifax. Cornwallis to Lords of Trade. Is surprised at having no letters by Capt. Ball, though he carried several dispatches. H. 25, B. T. N. S. vol. 13

(Attached to this is an undated letter reporting that Little, the commissary, had been suspended and Saul appointed in his place).

vember 18, alifax. Cornwallis to Secretary of State (Holderness). Congratulates his Lordship on his accession to office. Thanks for leave of absence, of which he will not make use so long as his services are required. A. & W. I. vol. 31, p. 221

vember 20. Memorial by Alexander Charles, for payment of costs incurred in defending two groundless actions brought against him by the master of the "Baltimore". H. 54, B. T. N. S. vol. 13

vember 26, ndon. Memorial and letter from Baker for payment of a bill drawn by Cornwallis on Townsend for provisions, acceptance of which is refused. H. 32. H. 33

vember —, alifax. Cornwallis to Lords of Trade, (undated, but the contents show the month). Report of the seizure of contraband goods, the resistance of Joshua Mauger and his impertinent letter, copy of which is enclosed. H. 26

Enclosed. Memorial for leave to land molasses and rum, taken in payment for goods sold on the evacuation of Louisbourg, with permit. H. 27

1751.

Letter (undated) from Mauger, declining to acknowledge the authority of the Court of Vice Admiralty, or to allow his store houses to be searched. H. 28, B. T. N. S. vol. 11

Application for, and copy of, warrant to search the sloop "Sally" for contraband goods, as well as places in which the goods may have been secreted. H. 29

December 18, Treasury. Treasury to Lords of Trade. Enclosing, for the consideration of their Lordships, memorial from the Board of Ordnance for repayment of money paid for the services of Nova Scotia. H. 31

December 19. Estimate of the charges for supporting and maintaining the settlement of Nova Scotia. The amount is £40,450 0s. 10d. B. T. N. S. vol. 35, p. 69

December 19, Halifax. Cornwallis to Lords of Trade. Has drawn for £168 7s. 6d. in favour of Webb & Ewer, for public works. H. 59, B. T. N. S. vol. 11

December 19, Whitehall. Verbal statement of Townsend, that provisions can be bought at Boston with the King's mark, cheaper than they can be bought otherwise. B. T. Journals, vol. 59

December 20, Whitehall. Statement by Powell, that the provisions spoken of were exchanged by the settlers for rum, and that he could purchase them at a cheaper rate. A. & W. I. vol. 594

December 20, Whitehall. Lords of Trade to Dick. Suspend measures for sending further settlers this year to Nova Scotia. Would be again employed when the measure was resumed and compensated for the trouble and expense already incurred. Kilby, the agent, directed to accept his bill. B. T. N. S. vol. 35, p. 71

1752.

January 7, Whitehall. Verbal account by Dick of the present position of the proposed settlement in Nova Scotia of foreign Protestants, and the difficulties that would arise should an immediate stop be put to their emigration. B. T. Journals, vol. 60, p. 1

January 8, Whitehall. Resolution of Lords of Trade on Dick's representation. 2

January 9, Halifax. Cornwallis to Secretary of State (Holdernesse). Sends copy of answer to the Governor of Louisbourg. A. & W. I. vol. 31, p. 222

Enclosed. Letter to Count Raymond, reiterating the claim of the British to the Canso Islands. 223

January 14, Whitehall. Lords of Trade to Secretary of State (Holdernesse). Send extract from letter from Cornwallis, dated 3rd November, respecting the settlement made by the French in Nova Scotia. B. T. N. S. vol. 35, p. 73

Enclosed. Extract. The letter is calendared at its date. Duplicates of letter and extract are in A. & W. I. vol. 596.

January 14, Whitehall. Lords of Trade to Admiralty. Send copy of letter from Cornwallis (undated) respecting the insolent conduct of Mauger, agent victualler to the navy, in reference to a search warrant for illicit goods. Point out the fatal consequences to an infant colony should a subordinate officer be suffered to obstruct the Governor and his Government in the proper execution of the law. B. T. N. S. vol. 35, p. 74

Enclosed. Letter and documents. These are calendared in November.

January 14, Whitehall. Verbal statements by Townsend and Alderman Baker, respecting the contract for provisions to settlers in Nova Scotia. B. T. Journals, vol. 60, p. 15

January 15, Whitehall. "State of Townsend's provision contract for the settlers at Nova "Scotia, in order to see whether he ought to pay Governor Cornwallis's "bill of 1st November, 1751, to W. Baker, Esq., for £2,250 for 224,000 "pounds of bread, which he has drawn in consequence of orders he gave "to Mr. Saul, Mr. Baker's agent, on 22nd August, 1751." 22

January 22, Whitehall. Lords of Trade to Admiralty. Send extract from letter from Cornwallis, dated 3rd November. B. T. N. S. vol. 35, p. 75

(The whole letter is marked H. 16 in vol. 13, B. T. N. S. and is calendared at its date).

22, Townsend to Lords of Trade. His reasons for accepting bills for provisions drawn by Cornwallis. Sends documents in support of the reasons. H. 39, B. T. N. S. vol. 13

The documents follow. H. 40 to H. 46

22, Memorial of John Dick respecting the proposed stoppage of German n. emigration to Nova Scotia. H. 47, B. T. N. S. vol. 13

5, Lords of Trade to Treasury. Relative to the supply by Townsend of l. provisions for the settlers in Nova Scotia and to the disputes between him and Baker. B. T. N. S. vol. 35, p. 79

(The documents transmitted are marked H. 32, H. 33, H. 37 to H. 39 in B. T. N. S. vol. 13.)

6, Admiralty to Lords of Trade. Desire their opinion whether Mauger y. should receive the stipulated warning that his contract is to cease, on account of his reported violent conduct. H. 49, B. T. N. S. vol. 13

6, Lords of Trade to Treasury. Propose to give the troops in Nova l. Scotia an allowance of three pence a day instead of provisions; state the saving that would be effected and the amount of specie that would be put in circulation in the Province; how the settlers would be affected, &c. B. T. N. S. vol. 35, p. 93

16, Cornwallis to Lords of Trade. Has not heard of any hostilities by the Indians since the attack on Dartmouth, nine months ago, but they have not yet come in to make peace. Has heard nothing from Chignecto for three months, owing to the severe weather. In spite of this severity the harbour has never been frozen over. Has appointed two Councillors, Collier and Fotheringham, in room of those who went to England. H. 60, B. T. N. S. vol. 13

A similar letter, of the same date, was written to the Secretary of State (Holdernesse). A. & W. I. vol. 31, p. 224

20, Treasury to Lords of Trade. Transmit memorial of Chauncey Townsend for payment of £4,609 7s. 6d. remaining due for victualling the settlers in Nova Scotia. The memorial is enclosed.

H. 48, B. T. N. S. vol. 13

20, Lords of Trade to Treasury. Report on the memorial by Townsend and recommend that he should be paid the amount he claims, that being "defalked" by the repayment of the advance made him.

B. T. N. S. vol. 35, p. 107

(The obsolete word to "defalk," means to cut off or diminish.)

20, Treasury to Lords of Trade. To consult with Hopson as to the best means for carrying out the proposals for supplying with provisions the settlers in Nova Scotia. H. 55, B. T. N. S. vol. 13

27, Lords of Trade to Treasury. Recommend the payment to the Paymaster General, of the two-thirds of the provisions not deducted from Cornwallis's regiment. B. T. N. S. vol. 35, p. 110

28. Same to Dick. Respecting the transportation of settlers. 112

29, Dick to Lords of Trade. Believes he can this year secure 1,000 set- t. tlers for Nova Scotia. May he try to send some to Georgia.

H. 56, B. T. N. S. vol. 13

Lords of Trade to Cornwallis. Parliament has voted £21,069 19s. 6d. for last year's "exceedings" and £40,450 0s. 10d. for this year's expense in Nova Scotia. Their concern at having again to apply to Parliament for a grant for "exceedings," although circumstances rendered the expenses unavoidable, as the country can ill afford large additional expense; the want of minute information regarding the expenditure, had made it impossible to present the case fully before Parliament. Remarks on the method of preparing the accounts. Complaints have been

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received of irregularities in issuing provisions, which should be reduced and care taken that the instructions are complied with. Some of the irregularities are stated. The unjustifiable profits taken by Saul make him an improper person to be appointed commissary. If public labourers and artificers are now receiving provisions besides pay, the provisions should be struck off. He is to make a rigid examination into the system of distribution and to check abuses. Remarks on the excess on the charge for labour and materials; he is to make an effort to reduce the expense for civil officers, for the hospitals and for rangers. Approve of his proposals to settle the foreign Protestants at Minas. Had referred to the Secretary of State his report respecting the reward offered by the Governor of Canada for scalps and his other proceedings, but as he (Cornwallis) has never given the strength and number of the French a judgment cannot be formed of the force required. Should an allowance of firewood to the officers be required, it should be made in the most frugal manner. Respecting ordnance, fortifications, &c. Discourage the opening of the collieries, in case that should encourage manufactures. Reason for the complaint made on the 14th June, of not receiving information. The prospect of peace with the Indians and French; the trade between Louisbourg and the Northern Colonies; the impropriety of paying a ransom for prisoners taken in time of peace; foreign Protestants, not having resided seven years, ineligible for offices of trust; how they should have lands; the case of Mauger represented to the Admiralty. (These subjects are all discussed fully). A postscript calls attention to the arrival of bills, which with others, whose amount is not stated, will amount to £12,000, which is £2,000 more than Parliament has voted for the ensuing year, leaving a whole year's service without any fund to draw upon, so that no matter what may be the exigency he (or his successor) will not have a single shilling to meet it. B. T. N. S. vol. 35, p. 114

March 10, Whitehall. Lords of Trade to Admiralty. Shall inquire of Cornwallis whether the nature of Mauger's offence is such as to require the discontinuance of his contract. 16

March 11, Whitehall. Secretary of State (Holdernesse) to Lords of Trade. Commission and instructions to be prepared for Hopson as Governor of Nova Scotia. H. 58, B. T. N. S. vol. 13

March 18, Whitehall. Lords of Trade to the King. Transmit proposed commission to Hopson, with remarks. Change made respecting the power of calling general Assemblies of the freeholders. B. T. N. S. vol. 35, p. 170

March —, Whitehall. Same to Treasury. For directions to be issued to pay the Ordnance for expenditures on account of Nova Scotia. 17

April 14, Admiralty. Admiralty to Lords of Trade. In compliance with representation of Cornwallis, the "Torrington" is ordered to proceed forthwith to Nova Scotia, the "Jason" to follow next month. H. 61, B. T. N. S. vol. 13

April 4, Whitehall. Order in Council, on the proposed Commission to Hopson, revokes the power to appoint twelve persons to the Council of the Province, and there are added to the power in former Commissions to call a General Assembly the words: "In such manner and form as you in your dis-"eretion shall judge most proper, or according to such further powers, "instructions and authority as shall at any time hereafter be granted, "or appointed you under our signet and sign manual or by Our order "in our Privy Council." The Commission with these amendments approved of. H. 8

Instructions approved of by Order in Council of 7th May. H. 9

April 20, Halifax. Cornwallis to Lords of Trade. Certifies that Lieut. Young, whose bills have been protested for the provisions to passengers by the "Nancy" did hire the schooner and did well by the passengers whom he brought from Terceira. H. 7

1752.

Enclosed. Young's memorial with accounts, &c. H. 78

21, ehall. Minute of the Lords of Trade on the affairs of Nova Scotia and the disposal of the grant for its settlement to the end of paragraph "for the use of settlers." B. T. Journals, vol. 60

23, ehall. Lords of Trade to Lords Justices. Transmit proposed general instructions to Hopson, as well as those relating to trade and navigation. B T. N. S. vol. 35, p. 174

Instructions proposed. 177

Instructions relating to trade and navigation are identical with those to Cornwallis, enclosed in letter from the Lords of Trade of 29th April, 1749, in B. T. N. S. vol. 34, p. 391.

27, ehall. Lords of Trade to Treasury. Send copy of that part of Hopson's instructions which relates to the allowance of money to the settlers instead of provisions. The proposal to the same effect for the troops cannot now be adopted. B. T. N. S. vol. 35, p. 327

—, fax. List of bills drawn by Cornwallis from January to April. H. 80, B. T. N. S. vol. 13

1, ehall. Lords of Trade to Dick. Are concerned that the number of emigrants exceeds that stipulated for; trust he may endeavour to avoid this. Their Lordships commend the steps he has taken to discover the author and publisher of the false information respecting Nova Scotia. Hopson will take care to enforce the terms by which foreign Protestants are to work out the expense of their passage. B. T. N. S. vol. 35, p. 331

18, ehall. Minute of Lords of Trade on the liquidation of Martin's demand, which Kilby is ordered to pay. B. T. Journals, vol. 60

—, rdam. Letters and documents from Dick to Lords of Trade, chiefly undated, respecting settlers for Nova Scotia, lists of those shipped &c., received in May. H. 62 to H. 68, B. T. N. S. vol. 13

1, on. Kilby to Lords of Trade. He can obtain 200 tents for Nova Scotia from the Ordnance at a cost of 200 guineas, if their Lordships approve. H. 69

19, ehall. Lords of Trade to Cornwallis. To carry into execution the proposal to allow three pence per day to each settler, instead of provisions, had shipped £4,562.10s. in dollars and copper half pence. This money is to be applied to no other purpose, and the boxes are not even to be opened till Townsend's contract shall have expired. B. T. N. S. vol. 35, p. 334

—, rdam. Further from Dick, with lists of passengers, bills of lading, &c. H. 70 to H. 76, B. T. N. S. vol. 13

3, ehall. Lords of Trade to Dick. Their satisfaction with the manner in which he has executed his engagements respecting settlers. A decision is suspended respecting the people from Hartz desirous of going to Nova Scotia. B. T. N. S. vol. 35, p. 337

(An extract is in A. & W. I. vol. 604).

st 10, ax. Hopson to Raymond, Governor of Louisbourg (in French). Friendly greeting. Calls attention to the seizure by Indians of two fishing vessels at Canso, carried into St. Peter's, with their crews of 15 men, and a canoe with six men; asks for his good officers to have the men set at liberty and the schooners and canoe returned. (Enclosed in Hopson's letter of 16th October, a copy sent to the Secretary of State on 21st December is in A. & W. I. vol. 596.

st 30, bourg. Raymond to Hopson (in French). Takes the first opportunity of showing his good will by sending to Halifax the prisoners taken by the Indians mentioned in his (Hopson's) letter. The Indians killed none of the men nor asked for any ransom. Does not know what has become of the schooners, but is making inquiry. There is a third schooner which he (Hopson) does not mention; she was taken in little Degrat harbour so can be demanded gratis and will be restored unless she has been carrying merchandise. In the meantime is returning the three

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crews. (Enclosed is Hopson's letter of 16th October, a copy sent to Secretary of State on 21st December is in A. & W. I. vol. 596).

September 28, Halifax. Hopson to Raymond (in French). Thanks for his good offices on behalf of the vessels and crews seized by the Indians. (Enclosed in Hopson's letter of 16th October, a copy sent to the Secretary of State on 21st December is in A. & W. I. vol. 596).

October 16, Halifax. Same to Lords of Trade. Had arrived on 24th July, landed on the 27th and on the 3rd August called the Council, when he took and administered the oaths. Found Cornwallis distressed by the presence of the emigrants of 1750 and 1751, whom he could not settle for want of means, nor carry out the promises of Dick, as contained in the printed paper enclosed. Is under the same distress with this year's emigrants and has built boarded barracks to shelter them from the weather; transmits minutes of Council on the means to provide for them. There was no possibility of sending the emigrants from Halifax, as there were no provisions sufficient in store to supply them with those necessary for nine months; believes that, before they can raise enough to subsist on, fifteen months more provisions would be required. Can obtain no satisfactory account of the provisions in store under Townsend's contract. Refers to Cornwallis for an account of the province. The emigrants sent this year complain of Dick's ill treatment of them, which occasioned the death of many. Of those that arrived, many were old and decrepit, both men and women, fitter for almshouses than to be sent to work for their bread; above 30 of them last landed could not stir from the beach and in 12 days time 14 orphans were taken to the Orphans' house. The settlers have become uneasy, some have gone to the Island of St. John and more will follow. Asks that no more foreign settlers be sent over. If those arrived are settled among the French inhabitants the latter will leave, which at present they have no intention of doing, nor does he wish them to go. Sends estimates with remarks; provisions ordered from Messrs. Apthorpe, of Boston, and Delancey & Watts, of New York, both good houses. Sixty deserters from the French fort at Beauséjour sent to Boston; how they are to be disposed of. The repairs necessary to forts and barracks besides which additional barracks must be built. Transmits proposals from Capt. Scott for negotiations with the Indians; recommends that he be employed. About the 10th of August two schooners were captured by the Indians as they were fishing near Canso, the vessels and crews were carried to St. Peter in Cape Breton, but returned on payment of a large ransom for the vessels; none of the men were killed or kept prisoners; sends copy of correspondence with the French Governor on the subject. Large expenditure has been unavoidable on account of the circumstances of the settlement. Asks that ships of war may be sent so as to arrive early in spring; April is a good month to arrive on these coasts. An Indian chief has been at Halifax to propose peace; sends copy of his proposals. The inconvenience of making the settlers pay their passages by labour. Stores mentioned in requisition will be required early in spring. Want a laboratory for small arms, filling cartridges, &c. Sends plan of Musquodoboit. (This plan is in Board of Trade maps, vol. 9, No 18). H. 88, B. T. N. S. vol. 13

Enclosed. Documents mentioned in the letter.

Report of survey from Dartmouth round the sea coasts to a deserted French village called Shillencook. H. 92

Answer of the Governor in Council to the proposals of the Micmacs for peace, with the acceptance of the chief. H. 93

(An extract from the letter and copy of the correspondence with the Governor of Louisbourg, sent to the Secretary of State on the 21st December, are in A. & W. I. vol. 596).

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Hopson to Lords of Trade. Has received dispatches and shall observe instructions. It is, however, impracticable to comply with the directions in some of the minutes of the board. (1.) The expense of the work on St. George's Island. (2.) Three pence to each of the foreign settlers and instructing them in military exercises. (3.) The three pence to the troops in lieu of provisions. He has had a further investigation into the management of the provisions, &c. The services of the rangers; there are now only 100 under Captain Goreham with six subalterns. Encouragement has been given to clearing land. No inhabitant allowed to leave the Province without a pass. Steps have been taken to prevent the excessive use of rum. No attempt will be made to open a colliery. Cornwallis shall take with him an account of expenses. Vessels for the service of the Province and how employed. Green has resigned the office of Secretary to the Council; it is not inconsistent with his other employment. The German settlers have applied for an orthodox minister; sends their memorial. Jeffray has drawn on the Board of Ordnance for £50. H. 94, B. T. N. S. vol. 13

Enclosed. Report of Council against the allowance of three pence a day to soldiers in lieu of provisions. H. 95

Order by the Board of Ordnance that the Artillery are to have the same privileges as other corps. H. 96

Memorials by German settlers (three). H. 97

Captain Charles Brown, respecting an order not to enlist for the Artillery, pointing out that if part of the detachment is to be sent to Newfoundland, there will not be enough to do duty in Halifax; sends return of the number in garrison. H. 98

List of officers and soldiers of Hopson's regiment victualled in Nova Scotia. The companies were: Col. Hopson's, 79 men; Lieut.-Col. Laurence's, 75; Capt. Handfeld's, 80; Capt. Frothingham's, 77; Capt. Floyer's, 78; Capt. St. Loe's, 75; Capt. Amherst's, 77; Capt. Scott's, 77. The name of each man is given, showing 618, given as 619 in the abstract, but Hopson's is counted as 80, the full list giving only, 79 H. 99

r 18,
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Hopson to Secretary of State (Holdernesse). His arrival and entering on his duties. Has sent to the Lords of Trade copy of his correspondence with the governor of Louisbourg. Sends copy of agreement with the Micmacs; from their treachery can place little reliance on them; sends copy of circular signed Paul Doiron, an inhabitant of St. John Island, intended to entice the inhabitants of Nova Scotia; it is the work of some one of more consequence; the inhabitants are inclined to stay. The French at work on the fort at Beaubassin. No change in affairs since Cornwallis left. A. & W. I. vol. 31, p. 225

Enclosed. Agreement with the Micmacs, in French and English. 226

Copy of circular signed by Paul Doiron. 227

r 18,
c.

Israel Abrahams to Lords of Trade. Has sent samples of potash made in the Flemish manner. The advantage this industry would be to the Province. His experiments have reduced his finances to a low ebb; prays for encouragement. H. 87. B. T. N. S. vol. 13

Hopson to the same. Recommends Saul, commissary of stores and provisions. H. 104

r 20,
x.

Saulusbury to the same. Sends extract from the register of the North and South suburbs, with the fish lots. H. 105

(The letter is undated but appears to have been written on the same day as the preceding letter by Hopson).

Enclosed. List of the lots in the south suburbs.

The same for the north suburbs.

German and Swiss lots in the north suburbs.

Proprietors of fish lots, from the fresh water brook to Point Pleasant.

1572.

The same on the North West Arm.

The same at Gorham's Point.

To Ephraim Cook a lot measuring on the beach 400 feet, on Bourn Arceneau 340 feet on the landing place and 100 feet on the German s

The name of every proprietor is given, with the letter and numb his lot.

December 6, Halifax. Hopson to Lords of Trade. Sends correspondence with the gov of Canada respecting the reciprocal restitution of deserters. Sends ute of Council, containing the treaty with one tribe of Micmacs; allowed them provisions at great expense, but should there be a ge peace with the Indians the expense for rangers could cease and agricu would supply the markets, which would enable the fishery to be ca on. Duport appointed clerk of the Council at a salary of Survey of provisions ordered. Asks for fifteen months provisio previously requested. Sends petition from the officers of the va corps, which he recommends should be granted. The action o Council to prevent the circulation of cut silver money; asks for pence to the value of £1000; how specie may be raised. Enclose of bills drawn. The estimates provide for vessels to carry the fo settlers to their proposed settlements. Capt. Cottrell appointed t Council in room of Fotheringham, who has gone to England. French have ceased to incite the Indians, so as to save the expense w is to be used to strengthen themselves for a decisive blow; advan should, therefore, be taken of this to gain over the Indians and to the lands, so as to increase the quantity of provisions and the nu of families. H. 119. B. T. N. S. v

A postscript of the 10th, says that if small change does not arriv the middle of May, there will be entire destitution. Desires to the form of oath to be offered to the French inhabitants; it is im sible to force the present oath on them; the inhabitants of Chignecto it a pretext for throwing off their allegiance and leaving their l they are now in a better disposition and likely to amend. Wi silence on that head be approved of? It is impossible to supply place if they leave. Sends victualling rolls of the settlers and regiment; had been obliged to order a supply of provisions Apthorp & Handcock, as he could get no satisfaction from the co tor's agent. Arrival of the "Bower" from Liverpool with prov and convicts for South Carolina; the master wished to land the latte was not allowed, and he has protested. The Council desires th more than £1,000 of half pence be sent yearly.

Enclosed. Correspondence with the Governor of Canada respec cartel for the exchange of deserters. H. 121,

Copy of the cartel.

Report of survey of salt pork under the care of Thomas Saul, co sary.

Memorial from the officers of the corps doing duty in outlying of the Province, for the continuance of their allowances.

List of bills drawn on Kilby, the agent.

Extracts from letters from German settlers (translated) desiring friends to join them.

Lists (two) of bills drawn by Cornwallis. H. 132,

Report of general court of Assizes and gaol delivery.

A similar, not identical letter of 6th December, written to Secr of State, with treaty with Micmacs enclosed (p. 229, A. & W. I. v compare with agreement at p. 226); the other enclosures are the sa

December 14, Whitehall. those sent to Lords of Trade. A. & W. I. vol. 31,

Lords of Trade to Admiralty. Enclose extract from letter Hopson of 16th October, on the necessity of having the same num

752. ships of war as last year, and that they should arrive early on the station. B. T. N. S. vol. 35, p. 339

nber 15, ehall. Lords of Trade to Dick. Send copy of complaint from Hopson, respecting the foreign Protestants sent by him (Dick); desire an answer, and that he stop proceedings towards obtaining more this year. 340

nber 16. Memorial of John Lonus for payment for coals supplied to the block house on the peninsula. H. 144, B. T. N. S. vol. 14

(An affidavit is attached to the memorial.)

nber 16. Memorial of Leonard Anton Treber, foreman over the Germans at the blockhouse, for the additional pay promised him. H. 145

nber 21, ehall. Lords of Trade to Secretary of State (Holdernesse). Send extract from letter from Hopson, which enclosed copies of the correspondence with Raymond, Governor of Louisbourg, relative to the seizure by Indians at Canso of some fishing vessels, which they carried into St. Peter, Cape Breton; the documents to be laid before the King. B. T. N. S. vol. 35, p. 343

(A duplicate of this letter but dated the 22nd is at p. 380 of the same volume, and a copy in A. & W. I. vol. 596. The enclosures, dated 10th & 30th August and 28th September are calendared at their dates.)

nber 22, ehall. Lords of Trade to Hopson. His letters and public papers received. Their concern for the large estimate for the coming year, the more so as the exceedings for this year, to the time his estimate begins, amount to £30,000. Commend the particular manner in which he has stated the services; have framed estimates which they enclose. Had hoped the rangers could have been dispensed with, but find that that cannot be done. He is to effect such savings as may be possible, and point out in detail where these may be effected. B. T. N. S. vol. 35, p. 345

(The estimates, &c., are in the same volume, p. 383 to 391; they include the amounts paid from 1749 to Christmas, 1752. The summary is dated 23rd January, the other papers 9th January, 1753).

mber 22, sury. Treasury to Lords of Trade. Transmit memorial from Townsend for repayment of customs duties paid in Ireland on provisions. The memorial and relative documents follow the letter. H. 38 x 39. B. T. N. S. vol. 13

mber 22, erdam. Dick to Lords of Trade. Defends himself against charges made in respect to the class, treatment, &c., of emigrants sent to Nova Scotia. H. 106

Enclosed. Certificate of the proper fitting of Dick's ships for emigrants. H. 107

List of ships cleared at Gosport with German settlers for the several British colonies in America. H. 108

Letter from Capt. Warden of the "Betty," reporting the contentment of the emigrants to Nova Scotia during the voyage. H. 109

Dick's account current. H. 110

late. Sketch of a memorial to the King, by Mascarene, with remarks. B. M. add. 19071, fo. 55*b*. 56

(The memorial, undated, seems to have been prepared in 1752, according to the letters sent by Mascarene's son towards the end of that year).

1753. uary 8, sury. Treasury to Lords of Trade. Transmit memorial from Townsend for £844 13s. 7½d. for the additional expense of supplying bread instead of flour to Nova Scotia. The memorial is attached to the letter. H. 111, B. T. N. S. vol. 13

uary 14, fax. Hopson to the same. All is tranquil without. The chief with whom peace was made went to Chignecto to bring in the other Indians, but was obliged to return, having met with an accident. This tranquillity

1753.

does not exist within, accusations of partiality having been made against Justices of the inferior Courts, which he will investigate.
H. 140, B. T. N. S. vol. 14

January 19, Whitehall. Lords of Trade to Customs. Desire an account of the quantity, species and value of the exports from Great Britain to Nova Scotia, from Christmas, 1749, to Christmas, 1752, distinguishing those of each year.
B. T. N. S. vol. 35, p. 382

January 23, Treasury. Treasury to Lords of Trade. Claim for repayment made by the Board of Ordnance is transmitted for the consideration of their Lordships. The application from the Ordnance, with the account, is enclosed.
H. 114, B. T. N. S. vol. 13

February 12. Memorial of John Duckworth for pay as surgeon on board the "Nancy", emigrant ship. A similar memorial to Cornwallis is attached.
H. 146, B. T. N. S. vol. 14

February 13, Customs. Commissioners of Customs to Lords of Trade. Send account of exports to Nova Scotia from Christmas, 1749, to Christmas, 1752.
H. 117, B. T. N. S. vol. 13

February 17, Whitehall. Lords of Trade to Hopson. Dispatches received and shall be answered shortly. B. T. N. S. vol. 35, p. 392

February 20, Whitehall. Secretary of State (Holdernesse) to Lords of Trade. For extracts from all correspondence with the Governors of Nova Scotia, pursuant to an address from the House of Lords. The address is attached.
H. 118, B. T. N. S. vol. 13

February 22, Whitehall. Lords of Trade to Paymaster General. Desire to have a distinct account of the expense of the military establishment of Nova Scotia, to form part of the return asked for by the House of Lords.
B. T. N. S. vol. 35, p. 394

A letter of the same date and to the same purport was sent to the Ordnance. 395

February 27, Ordnance. Ordnance to Lords of Trade. In answer to the order for a return of the expenses of the military establishment of Nova Scotia, the Board can only say that it has no establishment there, either civil or military, but sends list of the persons in their pay there, except the detachment of Royal Artillery, whose expenses have never been charged to the settlement. H. 135, B. T. N. S. vol. 13

February 27, London. Dove, late master of H.M.S. "Hound" to Lords of Trade. Complains that he is unable to obtain certificate for his pay from the Board of Ordnance, on the ground of his having lent to the brigantine "Eagle" certain arms and ammunition for which he is charged and asks for redress, the arms being lent for the good of Nova Scotia. Encloses his reasons for the loan and receipt for the arms, &c. These are attached.
H. 143, B. T. N. S. vol. 14

(See 12th April, for action of the Lords of Trade.)

February —. Memorial of Lieut. William Martin for payment of £667 6s. 9¼d. due to him on his public accounts. H. 139

Report by Kilby on the claim. H. 142

(A recommendation by Cornwallis for the payment is attached to the memorial.)

February —. List of papers laid by the Lords of Trade before the House of Lords, in pursuance of address to His Majesty. B. T. N. S. vol. 35, p. 397

March 12 Distinct account of the annual expense of the civil establishment of Nova Scotia. 422

The same of the military establishment. 423

The civil establishment cost £ 3,397 5s. 0d.

The military £67,363 15s. 11d.

March 27, London. Memorial of German ministers in London on behalf of the German Protestants in Nova Scotia for help to build a church and maintain a

1753.

minister. (Undated; received by Lords of Trade on the date in the margin). H. 230, B. T. N. S. vol. 14

h 28, tehall. Lords of Trade to Hopson. Parliament has granted £47,167 6s. 6d. for the support of Nova Scotia for 1753, and £47,448 5s. 10d. for the exceedings of 1752. Send account of the whole expense of Nova Scotia from the beginning, as a guide to the proper proportioning of the grant, and earnestly request him to confine himself to the sum voted. Should an excess in one particular be unavoidable, he should make a proportionate saving elsewhere. Hope that the disagreeable task of asking from Parliament votes for exceedings may be avoided in future. Their concern that Cornwallis had not placed the foreign Protestants in the outsettlements and that some of them had deserted to the French. Are surprised at their unfounded complaint of being drawn in to sign an agreement to work out their passage, that being a voluntary act on their part. Approve of his intention to send them to outsettlements in spring; orders have been given to send provisions for them; the allowance may be modified. The settlers should be sent to places of security and where the soil is good; Musquadoboit appears to be a suitable place. They should go by land if possible, but, if not, the Provincial sloop might be employed to carry them by water. How the labour for the settlement of Dartmouth should be provided. Approve of the cartel with the Governor of Louisbourg for the mutual exchange of deserters. The correspondence on that point and on the seizure of vessels has been sent to the Secretary of State. His reasons for not forming a militia are well founded; the advantage, however, of such a force. Approve of his conduct in the inquiry respecting the issue of provisions and of his determination in respect to granting lands. Saulusbury to have leave of absence. Recommend a reduction in the expense of the civil establishment. Satisfaction at the peace made with the Indian tribes; hope others will follow; provisions to them must be expensive but necessary. To consider if the allowance of provisions to the troops cannot be taken off for the summer, so as to balance the allowance to the Indians. Are surprised that peace was made by New England with the St. John Indians without the presence of a delegate from Nova Scotia which is more immediately interested. To consider the plan proposed by Scott for a truck house for trade with the Indians, which cannot be carried out until there is a general peace with the tribes; to keep an exact account of that trade. Respecting the purchase of provisions, the cost of firewood and his method of drawing bills. The French inhabitants are not to be forced to take the oath, although it is desirable they should do so; their willingness to pay quit rent should be examined and only the amount taken for lands to which they are justly entitled. Have referred to Council the refusal to receive convicts. Are sorry for the accident to the Indian chief and approve of his inquiry into the complaint against the justices at Halifax. B. T. N. S. vol. 35, p. 425

ch 28, lfax. Hopson to Lords of Trade. Sends result of the inquiry into the conduct of the justices; the complaints, he thinks, arise from the jealousy between the settlers from England and those from other countries. Gives a history of the case; the want of a proper administration of the law. Two soldiers have been found scalped in the woods of Chignecto; the Micmac Indians disown the proceeding. Everything is quiet and the other Indians promise to come in. H. 151, B. T. N. S. vol. 14

Enclosed. Copy of the commission by Cornwallis to Cooke, one of the justices complained of. H. 152

ch 28 lfax. Hopson to Lords of Trade. Sends audited accounts of stores and provisions. His orders for provisions have been completed at Boston and a quantity has been received at Chignecto; Townsend should make this good. A considerable sum due to Baker. Damage to provisions from

1753.

New York; note sent of the amount to be recovered from the insurers. A postscript of the 3rd April states that, by advice of Council, he had sent to Boston for transports to settle the foreign emigrants.
H. 159, B. T. N. S. vol. 14

Enclosed. General account of provisions received and issued for the settlers. H. 160

Account current between Saul, Commissary, and John Cunningham for provisions, audited. H. 161

Account of provisions received and issued to the augmentation of Hopson's regiment. H. 162

Contingent account of provisions to the settlers. H. 163

The same to the troops. H. 164

Return of stores for the use of settlers. H. 165

Report on audit of the accounts. H. 166

List of artificers and labourers receiving provisions. H. 172

List of inhabitants victualled in Halifax. H. 173 to H. 175

Invoice of provisions by the "Charming Hannah," shipped by Delancey & Watts. H. 176

Notarial protest of the master. H. 177

Report on the state of the hatches, &c. H. 178

Report on the state of the provisions. H. 179

Account sales of damaged bread. H. 180

Account for surveys. H. 181

No date. Memorial from King Gould for an account of the payment of the fourpence a day allowed to the troops for provisions and that the balance be paid him for the use of the 40th regiment. H. 138, B. T. N. S. vol. 13

March —. Report by Kilby on the account of the money paid for the stoppages on provisions refunded, and on the claim of King Gould, agent for the 42nd regiment. H. 141, B. T. N. S. vol. 14

(In King Gould's memorial the number of the regiment was originally written 42, but changed to 40. In Kilby's report it is called the 42nd regiment.)

April 6, Ealing. King Gould to Lords of Trade. He is unable from illness to wait on their Lordships, but will answer their commands in writing.
H. 147, B. T. N. S. vol. 14

April 12, Whitehall. Lords of Trade to Ordnance. The stores lent by Dove to the "Eagle," ordered to be returned. B. T. N. S. vol. 35, p. 450

April 14, Halifax. Hopson to Lords of Trade. The arrangements he is making for the settlements of foreign emigrants; the necessity for provisions. Sends copy of correspondence with Green for his resignation of either the position of naval officer or that of judge of Admiralty.
H. 153, B. T. N. S. vol. 14

Enclosed. Hopson to Green. He is to resign one of the two offices he holds. H. 154

Answer by Green that he resigns that of naval officer. H. 155

List of bills drawn. H. 156

List of lots laid out on the peninsula of Halifax for the inhabitants, with letters and number of the lots and names of grantees. H. 157

April 16, Halifax. Hopson to Lords of Trade. Two soldiers have brought in an Indian scalp; their deposition enclosed; security taken for their appearance.
H. 182

Enclosed. Deposition. An attack was made by the Indians on the vessel they were in, the crew were made prisoners and some killed, they had killed the Indian in self defence. H. 183

April 17, ce. Ordnance to Lords of Trade. The stores lent to the "Eagle," as per letter from Lords of Trade of 12th April, having been taken cannot be returned. Will pay Dove if the charge be allowed. H. 150

Lords of Trade to King Gould. Send copy of Kilby's report on his memorial, to be answered in writing. B. T. N. S. vol. 35, p. 452

King Gould to Lords of Trade. Corrects Kilby's report on account for stoppages. H. 149, B. T. N. S. vol. 14

Records of the General Court of Assizes and gaol delivery for the Hilary term, 1753. H. 217

Lords of Trade to Ordnance. Have no objection to the stores lent by Dove to the "Eagle", brigantine, being charged to the account of Nova Scotia. B. T. N. S. vol. 35, p. 453

Lords of Trade to Secretary of State (Holdernesse). Hopson having asked for 500 muskets for the foreign Protestants who are to be sent to the outsettlements, recommend that they be selected from the arms at Castle William, Boston, deposited there after the proposed expedition to Canada. A. & W. I. vol. 596

Ordnance to Lords of Trade. Representing that Jeffray, Commissary, and Loyd, clerk of Ordnance stores, both at Halifax, should continue to receive the allowances for fire, &c., previously granted. H. 184, B. T. N. S. vol. 14

The memorial is attached.

Hopson to Lords of Trade. Sends note of reductions he has made in the expenses, with remarks. Proposes to send out in three days the foreign settlers to Merleguash, about 1,600 persons. Has sent for 500 bushels of potatoes and some seeds to distribute to them. Colonel Lawrence goes with them to see them established; he is in command of a regiment of militia raised from the foreigners. Capt. Sutherland will succeed him; has appointed him Lieut.-Colonel and *custos rotulorum* of the township to be called Lunenburg. Zouberbulher and Creighton are to go with the foreigners as justices of the peace. Rudolph, formerly in the Sardinian service, is to be major of the militia and to discipline them. A letter from the Governor of Canada shows he had sent back all the deserted foreigners he could secure; this, it is said, is due to the want of provisions. Refers to their Lordships the application of the inhabitants of Cobequid to be excused from paying the arrears of quit rents. H. 185

Enclosed. Report of Cottrell, Secretary, on the reductions in his office, with account of the duties to be performed in it. H. 186

List of reductions. H. 187

Abstract of the proceedings of the General Court. A list of the judgments in cases tried. H. 188

Governor of Quebec, acknowledging receipt of the cartel for the exchange of deserters, which he has signed. Has given orders accordingly and now returns 44 persons, men and women, who had deserted from Chebucto last autumn, before the cartel was published. H. 189

Hopson to Lords of Trade. Has received report that a body of Indians is prepared to oppose the settlement of Merlegash, as soon as, by intercepting the courier, they learn when the settlers are to sail. Has written letters, intended to fall into their hands, that the sailing is deferred, until a report has been received from Cobequid of the feeling of the Indians. The first detachment will, however, sail with the first fair wind, 450 persons well armed, including soldiers. The rest will follow when he hears the first have got a footing. His reasons for suspecting the French have ill designs. The only ship of force here is H.M. Sloop "Albany", Capt. Rous, who is to countenance the new settlement. H. 190

(A copy of this was sent to the Secretary of State on the 3rd July. A. & W. I. vol. 596).

1753.
May —. Martin Armstrong, for the payment of £12 4s., cost of the hire of a postchaise to bring dispatches from Plymouth on his landing from Nova Scotia. H. 148, B. T. N. S. vol. 14

June 1, Whitehall. Lords of Trade to Ordnance. The allowance of provisions &c., to officers of Ordnance, which had been discontinued, will be restored. B. T. N. S. vol. 35, p. 454

June 25, Whitehall. Secretary of State (Holdernesse) to Lords of Trade. Leave of absence has been granted to Hopson. H. 191, B. T. N. S. vol. 14

July 3, Whitehall. Lords of Trade to Secretary of State (Holderness). Have prepared and transmit warrant granting leave of absence to Hopson. B. T. N. S. vol. 35, p. 457

(A copy is in A. & W. I. vol. 596).

Same to the same. Sends copy of Hopson's letter of 29th May respecting the threatened attack of the Indians on the Merligash (Malagash) settlers and the apprehended designs of the French. 458

July 4, Whitehall. (A copy is in A. & W. I. vol. 596. Hopson's letter is calendared at its date —— 29th May).

July 4, Whitehall. Lords of Trade to Treasury. Transmit memorial from the French inhabitants of Cobequid to be released from the payment of the arrears of quit rent. B. T. N. S. vol. 35, p. 459

July 9, Whitehall. Same to Admiralty. Transmit extract from letter from Hopson respecting apprehended designs of the French and the state of the naval force in Nova Scotia. 461

(Hopson's letter is calendared at 29th May).

July 10. Lords of Trade to Hopson. Dispatches received. Their concern that complaints should have arisen respecting the administration of justice; approve of his method of dealing with the complaints. The good effect of the addition to the commission of the peace. Call attention to the litigious spirit; its bad effect on the people. Approve of his dismissal of Little and restoration of Monk. How copies of the Acts should be transmitted. The audited accounts for provisions sent to the agent for report. Transactions respecting Townsend's contract should be reported to the Treasury. Stores ordered for the settlers sent early in spring. Approve of the reductions in the civil establishment. Allowance to the Commissary and Clerk of the Ordnance stores to be continued. How the settlers sent to Merligash might be supplied with provisions; approve of the settlement being put in charge of Lawrence and of the arrangements; desire him (Hopson) to send an account of the duties of the overseers sent to Merligash, and other particulars. The arrears of quit rents relinquished. The insufficiency of the naval force; have informed the Admiralty of the force needed. Leave to his own judgment the manner of meeting any attempt of the French. To send an account of the expenses at Merligash. Leave of absence sent. B. T. N. S. vol. 35, p. 462

July 12, Whitehall. Memorial from Robert Campbell, dismissed from his office of commissary in consequence of reductions ordered; prays for another office. H. 192, B. T. N. S. vol. 14

Enclosed. Certificate by Cornwallis of Campbell's efficiency, &c.

Lords of Trade to Hopson. Not to make grants to people who are not prepared to settle; if any such have been made the lands are subject to re-occupation for non-fulfilment of conditions. To send account of the settlement at Dartmouth. Shoes (1,200 pairs), sent for the settlers at Merligash and public labourers at Halifax; no account received of the distribution of those sent last year. To send account of the proceedings of the French at St. John River, Beausejour, Baie Verte or elsewhere. Refer again to mischief caused by the litigious disposition of the people; he is to take every private as well as public means to suppress proceedings arising out of this and party factions. B. T. N. S. vol. 35, p. 484

1753.
12, tehall.
12, tehall.
23, ifax.

Lords of Trade to Lamb. Refer for his opinion papers relating to the damage on the cargo of the sloop "Hannah." B. T. N. S. vol. 35, p. 491

Same to Treasury. Send extracts from a letter from Hopson that Townsend had failed in the execution of his contract. 492

Hopson to Lords of Trade. The utility of the services of the vessels for the use of the colony; cannot reduce the expense, the service is hard and the masters thoroughly qualified. Had been obliged to allow two chainmen for the survey of Merlagash. The necessity for the expenses in receiving provisions. The Orphan house and hospital absolutely necessary; remarks on the economy in other services. Explains his course in referring to the Council the question of the three pences for provisions to settlers. As to 5,000 persons being subsisted in Halifax, there has never been at any time half that number. Cannot dispense with any of the surgeons. A barrack master is an officer absolutely necessary in all garrisons and especially at Halifax. The services of the pilot schooner cannot be dispensed with; had struck off the *douceurs* to officers of Ordnance at Annapolis. (These statements are in answer to orders for reduction of expense). Receipt of dispatches of 20th March. Is glad to hear that Parliament has provided so handsomely for the support of the Colony. Encloses proclamation for the calling out the militia; 692 appeared, very few of whom were unfurnished with arms and ammunition as ordered; has since formed them into a regiment of two battalions, twelve companies in the first, ten in the second and one for Dartmouth, the large number of the companies being partly to conceal the numbers, partly to grant commissions; is now endeavouring to discipline them. Had selected Merligash for the foreign settlers instead of Musquodoboit, there being no harbour at the latter, and he being obliged to send them by sea. The French have sent vessels to the Bay of Fundy to trade and to decoy away the French inhabitants. Has sent as many troops (including rangers) as he could spare to the new settlement. Arrival of ships of war. Collier to succeed Saulsbury (as commissary). Has not yet considered the question of supplying Chignecto with coal from the colliery near it; shall send the best account of it he can procure. The provisions too dear for a soldier to purchase. The want of a commission to act with the commissioners from New England in treating with the Indians. Is glad the appointment of Cottrell to the Council is approved as well as his conduct in appointing justices. Sloop sent with Indians attacked, and all but one of the crew killed. Can obtain no definite information about the Indian trade. Remarks on the supply of provisions, on the result of surveys and on miscellaneous subjects.
H. 193, B. T. N. S. vol. 14

Enclosed. Proclamation for forming a militia. H. 193

Statement of Anthony Casteel, taken by the Indians on the 16th of May. H. 195

Surveys and other papers respecting provisions. H. 197 to H. 200

23, ifax.

Hopson to Lords of Trade. Respecting the expenditures for the Province, entering into details. H. 201

Enclosed. Papers on the subject. H. 202, H. 203

23, ifax.

Hopson to Lords of Trade. Sends memorial from John Barbidge for an increase of salary, which he recommends should be granted. H. 219

Enclosed. Memorial. H. 220

ember 3, fax.

Hopson to Lords of Trade. Dispatches received; owing to the state of his eyes, will sail in the "Torrington". Thanks for the approval of his conduct. H. 204

ember 19, tehall.

Lords of Trade to Admiralty. Send extract from letter from Hopson. B. T. N. S. vol. 35, p. 493

(The letter from which the extract is taken is dated 23rd July, which see).

1753.

October 1, Halifax. Hopson to Lords of Trade. The people appear to be satisfied. Has no doubt the judges will administer the law impartially, but a lawyer is wanted, with no interest in the Colony, to advise with in difficult cases. Shall take care before leaving that no expense shall remain that is not absolutely necessary. The settlers at Merliguash have not yet been disturbed by the Indians; there are about 650 inhabitants and troops well armed. It has been found desirable to make some of the foreigners overseers to attach them and influence the others, as they are apt to waver and fall into the same sort of neutrality as the French inhabitants. About £2,000 spent on cows and breeding swine for the inhabitants would save great expense hereafter for provisions, but at present no saving can be effected in that article. Duties of the English speaking overseers; their services highly necessary. The French inhabitants have behaved tolerably well since his arrival, but their apprehensions from the French and Indians have prevented them from showing attachment. Describes the forms and methods of judicature. The German minister has not arrived and the Germans are uneasy at having neither church nor minister; the Swiss have a French minister, M. Moreau, who behaves well. Has put a sum in the estimates for a church; hopes that a German minister speaking a little English may be sent as soon as possible; a schoolmaster is also wanted. The discouragement caused by the German settlers having to work in payment for the freight money. Will make no grants of land. There are only five families in Dartmouth, a small town well picketed and protected by a detachment of soldiers; there is no fishery and the inhabitants are afraid to cultivate outside of the pickets for fear of the Indians. The French have a strong fort at Beauséjour to which they are adding; owing to desertions it is reported that there are not above 60 troops in the garrison; in the fort at Gaspareau there have never been above 12 or 14 men. The number of inhabitants cannot be ascertained, but on their festivals 300 have been counted at the mass house, coming from a circuit of six or seven miles; all are armed and have ammunition; they are ordered to repair to the fort on any alarm; they are all well settled. Encroachments are openly avowed and abetted by the Governors of Quebec and Louisbourg, which he has no means to resist, as he has only a force to protect the settlers from Indians with whom, he is informed, the French unite in committing hostilities. Has appointed Lieut.-Colonel Monckton to be a member of Council. H. 221, B. T. N. S. vol. 14

(An extract was sent to the Secretary of State on 7th December. A. & W. I. vol. 596).

October 1, Halifax. Cottrell to Hopson. Summary of proceedings relative to the oaths tendered to the French inhabitants, taken from the records of the Province. H. 232, B. T. N. S. vol. 14

October 18, Halifax. Hopson to Lords of Trade. Is informed by Shirley that since the arrival of a French missionary at St. John River the conduct of the inhabitants has altered for the worse; that the French have 100 families settled on that river, have greatly strengthened the old fort at its mouth, with guns and men, have built a new fort 20 miles up the river, armed with 24 guns and 200 regulars; that a French frigate of 30 guns has been behind Partridge Island waiting for a cargo of furs, so that the French seem to be entirely masters of the St. John River. The French inhabitants who left Chignecto have asked leave to return; terms have been offered to them. H. 222

(An extract was sent to the Secretary of State on 7th December. A. & W. I. vol. 596).

October 18, Halifax. John Collier to Lords of Trade. Has been appointed Registrar of the Province and receiver of His Majesty's rents. H. 234

1753.

Enclosed. Transcript of the register from 17th April to 18th October, 1753. It contains the names of grantees with descriptions of grants. H. 226, B. T. N. S. vol. 14

ber 20, ifax. Lawrence to Lords of Trade. Thanks for his appointment during Hopson's absence. He shall endeavour to discharge the duties properly, &c. H. 223

ber 22, ifax. Hopson to the same. Sends public accounts and vouchers. In two or three days he will embark in the "Torrington" and bring duplicates with him. List of the papers sent accompanies the letter, followed by estimates for all the services, including the cost of forts, &c. H. 205

ember 27. Account by Pownall of French settlements before the treaty of Utrecht and of the forts built and settlements made in Nova Scotia since the settlement of Halifax. A. & W. I. 596

(There are three copies of this paper, the first containing a few lines of introduction, which is the only difference).

ember 28, don. Answer by Chauncey Townsend to the charge of having failed to carry out his contract. H. 229, B. T. N. S. vol. 14

ember 5, ifax. Lawrence to Lords of Trade. People at Halifax quiet; those at Lunenburg improved, the spirit of mutiny and violence having subsided; it is desirable, however, to mix English settlers with them. The French inhabitants quiet but very litigious among themselves; the difficulty of dealing with these disputes; shall try to send some proper person in spring to settle their differences. French emissaries continue to perplex the inhabitants as to the taking of oaths, so that the question should be settled one way or other as early as possible. Has not heard from Chignecto; if the deserted inhabitants accept the terms offered (see Hopson's 18th October) it would lessen the difficulty the other inhabitants make about taking the oath. Proposes to let the fort at Minas drop and apply the expense of repair to contingent services; the bad situation of the fort, the advantages of uniting the garrisons of Minas, and Fort Edward. Should the French inhabitants at Minas relapse, troops could be lodged in a little redoubt, which could be built at a trifling cost. Proposes to discontinue the allowance of rum to the troops at Chignecto and to apply the saving to the Orphan house. Shall send duplicates of the Acts when copied. Has received proposals for peace from the Cape Sable Indians. The "deserted inhabitants" have not returned to Chignecto, because of some scruple about the terms, they insisting on a clause that they shall not be compelled to take up arms. List of priests and mass houses in the Province. Provisions sent by Livingstone & Alexander from New York, are greatly damaged; the damaged part sold at auction. Sends surveys, returns, &c. H. 235

Enclosed. Protest of the master of the sloop "Phebe and Polly," loaded with provisions from New York. H. 236

Reports of surveys. H. 237, H. 238

Protest of the master of the "Patience," loaded with bread & flour. H. 239

Estimate of the expenses of Nova Scotia. H. 242, B. T. N. S. vol. 15

ember 7, tehall. Lords of Trade to Secretary of State (Holdernesse). Send account received from Hopson of the state of the French forts and settlements at Beauséjour and Baie Verte. B. T. N. S. vol. 35, p. 494

On the same day a representation on the subject was sent to the King, through the Secretary of State. 495

The representation. 496

(Copies of these letters, &c., are in A. & W. I. vols. 596 and 597).

1753.
December 13, Whitehall. Lords of Trade to Treasury. Recommend the repayment to Chauncy Townsend of the Customs duties charged to him on the provisions shipped from Ireland for settlers in Nova Scotia. B. T. N. S. vol. 35, p. 501

December 17, London. Memorandum by Kilby on claim by Chauncy Townsend for repayment of duties charged on provisions shipped to Nova Scotia.
H. 227, B. T. N. S. vol. 14

A short memorandum; the report follows. H. 229

December 29, Halifax. Lawrence to Lords of Trade. Refers to minute of Council for account of insurrection among the foreign settlers at Lunenburg, which they appear to have been long hatching and only waited till the armed vessels were laid up. However, they were refitted and sent off with 200 troops under Monckton, who arrived safely, took possession of the block-house and measures were taken to disarm the mutineers. The unruly temper of the settlers at Lunenburg who desire to throw off subjection to any government, believing that they would thus escape disturbance from the Indians, an idea promulgated by French emissaries. Has just received word of the disarmament without violence. The mutiny was so universal that no ringleader can be found. The number of troops sent prevented any resistance. H. 243, B. T. N. S. vol. 14

1754.
January 15, Halifax. Same to the same. The disturbance at Lunenburg has subsided. Monckton is leaving 40 men to man the block-house. A man named Hoffman arrested as a ringleader. Monckton's good management in putting an end to the affair; there will be some additional expense, but it will be trifling. Asks for instructions as to granting land. The French are hard at work in settling on the St. John and are offering great encouragements to the French inhabitants to join them. Cannot prevent some families from going, but the greater part are too much attached to their lands to leave them. Arrival of a cargo of bread and flour from Philadelphia, on which the surveyors report a great deficiency. Sends victualling bills for the settlers. Asks for copies of the Statutes and Chancery reports. Return of Monckton; Lunenburg quiet. H. 244

(An extract was sent to the Secretary of State on the 29th of March. A. & W. I. vol. 597, p. 4.)

January 24. Orders for returns of expenditure on Nova Scotia for 1753 and estimates for 1754, to be laid before the House of Commons.
H. 231 & H. 231-2. B. T. N. S. vol. 14

January 29. Estimate (£47,054 15s. 3d.) for supporting and maintaining the settlement of Nova Scotia for 1754. B. T. N. S. vol. 36, p. 1

February 1, London. Total value of the exports to Nova Scotia, from Christmas, 1751, to Christmas, 1752, £19,310 13s. 11d. No details of any kind are given.
H. 234. B. T. N. S. vol. 14

February 26, London. Memorial from Hopson and Cornwallis, for payment of the balance due to their regiment on account of stoppages for provisions. H. 233

March 1, Halifax. Lawrence to Lords of Trade. The instructions he had given for the delivery of dispatches sent by the "Elizabeth," Roger Dearing, master. Sends vouchers for payments on Government account to the end of the year; the savings may cover the expenses caused by the unruly Germans and the extraordinary expenses at Chignecto. The people at Lunenburg are quiet and have cut roads through their great lots; the want of money there, the settlers being so poor that they cannot buy clothes, has distributed shoes to them. There having been no disturbance from the Indians this winter, surveys were made and the head of the river Chibenacadie (Shubenacadie) discovered; it runs from its source about nine miles from Fort Sackville to Cobequid, the route the Indians have always taken to molest Dartmouth. Report that LaCorne, on his retreat from the Ohio had been attacked and cut off by Indians. To

revenge this, the French threaten to attack Nova Scotia, but this he regards as only a "puff" to keep up their people's spirits. Several French inhabitants have been over to the north side of the Bay of Fundy, have cleared up lands and intend going there in spring. Hopes that the year's provisions may be here by the middle of June at farthest, or it may be of bad consequence. Sends victualling list of Hopson's regiment. H. 250. B. T. N. S. vol. 15

Enclosed. Abstract of expenses in Nova Scotia, to 31st December, 1753. H. 251

Lords of Trade to Treasury. Report on the claims of Townsend on his contract for flour and bread, and recommend that for the first part of it, pending a decision on the other, he may be paid, the evidence being sufficient to warrant this. B. T. N. S. vol. 36, p. 2

Lords of Trade to Hopson. It is intended, on his leaving Nova Scotia, to appoint Lawrence Lieut.-Governor and to pay him the salary now paid to him (Hopson) as Governor. 11

Lords of Trade to Secretary of State (Robinson). Send extract from letter from Lawrence, dated 15th January, giving an account of the proceedings of the French, &c., on the St. John River. 13

Enclosed. Extract. The letter from which this is taken is calendared at its date. A copy of letter from Lords of Trade is in A. & W. I. vol. 597, p. 2.

Lords of Trade to Brewse. He is to proceed to Halifax to erect a battery on the Eastern shore of the harbour. B. T. N. S. vol. 36, p. 9

Same to Albinus, one of His Majesty's German chaplains, that a German minister is to be selected and sent to Nova Scotia for the foreign Protestants. 10

Hopson to Lords of Trade. Thanks their Lordships for informing him of the intentions respecting the appointment of Lawrence and of their approbation of his own services. The disorder in his eyes still continues. H. 245, B. T. N. S. vol. 15

Lords of Trade to Mascarene. Instructions have been sent to Lawrence to furnish him with the amount required for negotiating with the Indians and for the necessary presents. B. T. N. S. vol. 36, p. 14

Same to Lawrence. Dispatches received. Parliament has granted £11,392 6s. 9d. to pay the exceedings of last year and £11,392 15s. 3d., for 1754; estimate enclosed with remark on each article. The good effect of frugality; their good opinion of him, &c. Their pleasure at his account of the Germans at Lunenburg; the good policy of having English speaking people mixed with them. Regret to hear of the litigiousness of the French inhabitants; its bad effects; their only claim to the land depends on their taking the oath of allegiance. The difficulty of taking judicial action towards settling their disputes. The danger of the French inhabitants leaving and adding to the strength of the French settlements. From the ruinous state of the fort at Minas, it may be abandoned and the garrison added to that at Pisiquid. Approve of striking off the allowance of rum to the troops at Chignecto; the saving can be applied to the Orphan house. Their satisfaction at the application for peace of the Cape Sable Indians; hope other tribes may follow. Their concern at the attacks by Indians; he is to consider the best method of checking them; Capt. Rouse's plan for attacking them by water. Their Lordships are at a loss to guess what could have induced the people at Lunenburg to mutiny, considering how liberally they had been dealt with; he is to make a close investigation and report on the origin of the mutinous disposition and what punishment should be inflicted. He has mistaken the instructions as to grants of land sent to Hopson; they were meant to restrain extravagant grants to people

1754

unable to cultivate the lands, but it would be detrimental to the Pr vince to stop all grants which, indeed, could not be done. The importan of having the battery on the Eastern shore of Halifax speedily co pleted. His proposed appointment to be Lieut.-Governor with t salary attached. He is to empower Mascarene to draw for expens connected with the negotiations with the Eastern Indians.

B. T. N. S. vol. 36, p. 1

April 4, Whitehall. Lords of Trade to the King. The necessity of erecting a battery o the Eastern shore of the harbour of Halifax, with list of materia required.

April 30. *Endorsed.* "Proposal for building forts, &c., upon the Ohio & othe rivers in North America." (The proposal is to build forts from Nov Scotia and contains a list of the French forts in Nova Scotia and othe situations.) A. & W. I, vol. 80

April —, "The proceeding of the French in America, of which Great Britai has cause to complain." vol. 60

June 1, Halifax Lawrence to Lords of Trade. The French strengthening themselve at Baie Verte and Beauséjour between which places they have made very fine road and are doing all in their power to seduce the French in habitants to go over to them. The Indians quiet, as the French hav their hands full elsewhere. Is encouraging the inhabitants to outsett and is giving them all the protection he can. Sends minute of Counci on petition for a grant of 20,000 acres to be settled at the expense of th grantees; advantages of the proposal. The first petition dismissed, th conditions being refused by the petitioners, but a second was granted, th conditions being modified; sends copy of the grant with alteration marked. Reasons for making the grant and its advantages. Settler already sent, who are at work and troops have gone to protect them who have cut a road; will shortly withdraw the troops and send ran gers to garrison the block-house within the picketing. Sends plan o the place. (Among B. T. maps, vol. 9, No. 20, Lawrence town). Lunen burg quiet, the inhabitants almost incredibly industrious and hav already planted 700 bushels of potatoes and sown some flax seed, whic will supply them with sufficient seed for future planting; town an garden lots cleared and cultivated, a vast quantity of timber, staves an hoops has been cut, and a great number of boats and canoes built. Ha had a proposal from a company of 20 of the richest people in New York t form a settlement at Mahone Bay; had written giving every encourag ment except provisions to their settlers. Other proposals for settle ment. Sends report of the trial and conviction of Hoffman, ring leader at Lunenburg. Sends survey of part of the Provinc (Among B. T. maps, vol. 9, No. 5), which shows the advantage a for would be on the Shubenacadie River; it would soon be settled as there ar fresh and salt water fisheries and the land of good quality. Assistanc asked by Shirley to reduce a strong fort built by the French behind the hill at Mount Desert. In spite of the conduct of the French, the Bosto merchants continue to supply Louisbourg with provisions in great quan tities. Grants made entirely in name of the Governor, although wit consent of the Council as required by the commission. The people i Halifax quiet and more industrious than before. Arrival of provision for the settlers; the expense of landing and reshipping them; asks tha the port of landing may be fixed by the Governor. Returns sent. Can not give information of the state of affairs at St. John River.

H. 252, B. T. N. S. vol. 1

Enclosed. Copy of grant of Musequedaboit (so endorsed, but in th body of the grant it is called Lawrence town). H. 25

State of the Orphan house at Halifax and abstract of the last genera court of Assizes. H. 25

1754.
ne 14, Lawrence to Lords of Trade. Dispatches received; shall, as ordered,
alifax. reduce the quantity of provisions at Lunenburg, but would be sorry to put the settlers there out of humour, as they are now very industrious; they are supplying the Boston vessels with cordwood. Stone's detachment at Musquodoboit has met with no disturbance from the Indians. The inhabitants have picketed the place and will soon be in a position to defend themselves. H. 255, B. T. N. S. vol. 15

ne 21, Lords of Trade to the King. Send warrant appointing Belcher Chief
hitehall. Justice. B. T. N. S. vol. 36, p. 51

(The warrant is in B. T. Plantations General, vol. 52, p. 36).

On the same day the Order in Council passed for Belcher's appointment to be Chief Justice. H. 246, B. T. N. S. vol. 15

ly 19, Treasury to Lords of Trade. What is the nature of quit rents for
easury. which a remission of arrears is asked? H. 249

ly 24, Lords of Trade to the King. Recommend that Belcher be appointed
hitehall. one of the Council of Nova Scotia. B. T. N. S. vol. 36, p. 52

(He was appointed by order of 6th August, see below).

gust 1, Lawrence to Lords of Trade. Thanks for approbation. The people's
alifax. spirits raised by the handsome grant made by Parliament for the Colony and the arrival of the Chief Justice. The settlement at Lunenburg continues to do well; a few Germans have deserted, but as they were dregs, it is no loss. Will try to mix natural born subjects with the Germans; if the proposal from New York is carried out, it will answer that end. The lenity of the British Government has had no good effect towards attaching the French inhabitants but the reverse. Enters into long details and suggests that if they refuse to take the oath they should be sent away, or by building a fort or block-house on the Shubenacadie their communication with the French could be stopped, desertion of the Germans prevented and the principal Indian pass cut off. Minute details of the state of the Province. Seizure of a Boston vessel in the Bay of Fundy engaged in illicit trade; but for the supplies from Boston, the French could not have supported themselves or supplied the Indians. Report of the proceedings of the French on the North side of the Bay of Fundy. Arrival of families from Cape Breton, who report the people there to be starving; after some demur, they took the oath without reservation and were allowed to remain; in the meantime they have been sent to Lunenburg where they will receive provisions. Miscellaneous news.
H. 256, B. T. N. S. vol. 15

Enclosed. W. Kinsey, master of H.M.S. "Vulture". Reports the chase and capture of a Boston schooner, loaded with contraband goods.
H. 258

Journal of a march by the Shubenacadie, and discovery of its source.
H. 259

gust 6, Lords of Trade to the King. Transmit warrant to appoint Jonathan
hitehall. Belcher, junior, one of the Council of Nova Scotia. B. T. N. S. vol. 36, p. 56

(The warrant is in B. T. Plantations General, vol. 52, p. 45).

gust 6, Lords of Trade to the King. Transmit proposed commission to Law-
hitehall. rence, to be Lieut.-Governor of Nova Scotia. B. T. N. S. vol. 36, p. 53

Commission follows. 54

The order passed the same day. H. 248, B. T. N. S. vol. 15

(There are duplicates of Orders in Council of 21st June, appointing Belcher, Chief Justice, and of 6th August, appointing Lawrence to be Lieut.-Governor and Jonathan Belche, junior, to be a member of Council.
H. 266, H. 267, H. 268

gust 9, Lords of Trade to Secretary of State (Robinson). Send plan of con-
alifax. certed action by all the Colonies in America, to resist the encroachments of the French. A. & W. I. vol. 604

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unable to cultivate the land[illegible] correspondence being partly in vince to stop all grants whe[illegible] of having the battery or [illegible] of person sent to bring an pleted. His proposed app[illegible] side of the Bay of Fundy. He salary attached. He is to [illegible] bastions at Beauséjour mounted connected with the no[illegible] besides eight 18-pounders not yet [illegible] though not large the fort is very

April 4, Whitehall. Lords of Trade to the [illegible] fort with three bad old guns, one the Eastern shore of [illegible] are 160 fighting men. An augmen- required.

April 30. *Endorsed.* "Propo[illegible] at Baie Verte, and it appears that in rivers in North Am[illegible] collect 1,400 or 1,500 Indians from Scotia and contain[illegible] Bay Verte, St. John's Island, Chip- situations.)

April —, "The proceedi[illegible] Gedaique, Ramsheck and neighbouring has cause to com[illegible] given as in the original).

A. & W. I. vol. 597, p. 3

June 1, Halifax Lawrence to [illegible] the nature of the documents sent by the at Baie Verte [illegible] duplicates. Death of William Steele, a very fine ros[illegible] that of Major Fotheringham already habitants to [illegible]

H. 261, B. T. N. S. vol. 15

their hands [illegible] Ask for estimate of the amount required and is gone [illegible] for 1755. H. 262

on petition [illegible]. Refer to letter of 4th July, 1753, for grant[illegible] the quit rents due by the French inhabitants to condition[illegible] ible to ascertain the amount.

B. T. N. S. vol. 36, p. 57

condition[illegible]

mar[illegible] In absence of the Lords of Trade, certifies that alread[illegible] has asked for authority to pay is correctly who ha[illegible] 58

gove[illegible] of Trade. His commission as Lieut.-Governor the [illegible] arrived and been sworn into the Council; his bu[illegible] ordered to be prepared; his objections to some al[illegible] considered. Sends duplicates of the dispatches for- [illegible] "Wasp." Brewse pushing forward the work on the [illegible] pounders wanted; will in the meantime mount [illegible] No provision made in the estimates for the German [illegible] 1st of July next; recommends that at least bread [illegible] for them during the following winter; the pains [illegible] provide for the live stock. Reasons for urging that they [illegible] an allowance. Five saw-mills are built and building in [illegible] quantities of timber are cut, sufficient to load several ves- [illegible] winter has not been remembered to have been so dry as this [illegible] hurt the growth of turnips, cabbages and other garden [illegible] resolutions of Council respecting supplies to the French; [illegible] help of the cruisers the traffic may be stopped, which will [illegible] the Indians, when the French can no longer supply them. [illegible] arrival of the Chief Justice, had appointed Capt. Rous to the [illegible] Arms wanted for the rangers; bedding much required. Is [illegible] that their Lordships had received few letters from him as [illegible] often. Victualling rolls of Hopson's regiment and list of [illegible] are sent. Commissary's accounts not yet examined.

H. 263, B. T. N. S. vol. 15

[illegible] List of papers sent by the "Wasp." H. 264

[illegible] drawn on Kilby. H. 265

[illegible] of Trade to Lawrence. His letters have relieved anxiety and [illegible] great satisfaction. The long cessation of hostilities by the Indians [illegible] industry of the settlers cannot fail to give stability to the colony. [illegible] on the new settlements and on the terms of the grants he had

1754.

issued. The good policy of erecting a block-house for defence. The great improvement in the feeling and conduct of the settlers at Halifax and Lunenburg; the bad policy of granting provisions which only encourages idleness and sloth; the good effect of its discontinuance. The advantage of the large reduction in the cost of cordwood. The well deserved punishment of Hoffman; after his release he should leave the Province. The advantages of the proposed fort on the Shubenacadie discussed at some length as well as the position of the French inhabitants by the conditions of the treaty of Utrecht. Respecting fortifications; the mutual assistance that could be rendered by him and Shirley. The pernicious nature of the trade carried on between the Northern colonies and Louisbourg, &c., and the difficulty of preventing it.
B. T. N. S. vol. 36, p. 59

ber 31. tehall. Lords of Trade to Secretary of State (Robinson). Transmit report from Lawrence of the strength and proceedings of the French at their forts and settlements of St. John, Beauséjour and Baie Verte; have already represented the dangerous consequences of these encroachments. Nova Scotia flourishing and no Indian hostilities committed for two years. The almost incredible industry of the German settlers, but the Province can never be free from hostilities, whilst the French possess the north side of the Bay of Fundy and incite the Indians to attack the settlers. 83

(There is a duplicate in A. & W. I. vol. 597, p. 7, with enclosures, extract from Lawrence, 29th August, 1754, and representation, dated 7th December, 1753, on Hopson's letter of the previous 18th October, which are all calendared at their respective dates).

mber 5, fax. Lawrence to Shirley. Had received dispatches respecting his treaty with the Indians and the encouragement he had received from Sir Thomas Robinson for the removal of the French from Chignecto and St. John River. Had sent Monckton to propose raising 2,000 men, which, with the regular troops he can add should be sufficient to do the business; the cost of these to be borne by Nova Scotia. The advantage of attacking the French first, whose attention is at present directed to the Ohio and the division of their forces may lead to the defeat of both. The scarcity of provisions prevents the French from collecting large bodies of Indians near them, lest they should cause a general famine. The propriety of the attack for the security of New England. Proposes that Monckton should command the expedition, the choice of the other officers to be left to him (Shirley). Has given unlimited credit to Monckton on Apthorp and Handcock, but before presenting it, they must be engaged to the profoundest secrecy. A. & W. I. vol. 597, p. 24

A copy was sent to the Secretary of State on the 5th March, 1755.

mber 19, tehall. Minute of Lords of Trade on proposals by Hopson for an increase of salaries to certain officers in Nova Scotia and resolutions of the Board to "charge them as contingent expenses." B. T. Journals, vol. 62

mber 19, sury. Treasury to Lords of Trade. Send application by the Board of Ordnance for repayment of expenditure on account of Nova Scotia, with application and account enclosed. H. 291, B. T. N. S. vol. 15

mber 20, tehall. Lords of Trade to Treasury. Send estimate for Nova Scotia for 1755. B. T. N. S. vol. 36, p. 86

Estimate follows. 87

mber 20, tehall. Lords of Trade to the King. Transmit estimate sent by Lawrence of ordnance required. 89

Estimate follows. 90

mber 25, anus's. Instructions to Braddock, to be commander-in-chief in America. A. & W. I. vol. 604

Secret and private instructions follow.

1754.
November 30, Whitehall. Lords of Trade to Lawrence. Send observations on the items of the estimate he has transmitted. B. T. N. S. vol. 36, p. 92
Observations follow. 93

December 3, Boston. Mascarene to Lords of Trade. Respecting the treaties with the Eastern Indians, negotiated at Casco Bay. Sends account of expenses for Nova Scotia and applies for an allowance whilst attending the commissions. Represents that during the time of his government at Annapolis he received no compensation and asks for a consideration of his case. H. 275, B. T. N. S. vol. 15

December 17, Whitehall. Lords of Trade to the King. Send representation by Lawrence respecting the want of guns to complete the battery in Halifax harbour. B. T. N. S. vol. 36, p. 106

December 24, Halifax. Lawrence to Lords of Trade. Shall write by every opportunity as ordered. All quiet; the Indians have made no attempt to disturb Lawrencetown; above 100 Lunenburg families have gone out to settle their country lots. New York merchants propose to make a settlement at La Have; has not given them a positive answer till he shall hear from their Lordships. H. 290, B. T. N. S. vol. 15

"Information préalable pour servir d'introduction au Narré." Respecting the disputes in North America between Great Britain and France, discussing the treaty of Utrecht and its interpretation. It is an argument in support of the claims of Great Britain and gives an account of the attacks made on Nova Scotia by the French. A. & W. I. vol. 597

1755.
January 3, London. Order of the House of Commons that an account of the expenses of Nova Scotia be laid before the House. H. 269, B. T. N. S. vol. 15
(The account is printed in the journals of the House).

January 12, Halifax. Lawrence to Lords of Trade. The Colony still tranquil; Lunenburg thriving; the new settlement at Musquodoboit goes on well, but can make no great progress till the arrival of more inhabitants in spring. Shall encourage out settlements and make proposals to the New York gentlemen to proceed with their scheme. His proposal to build a fort on the Shubenacadie to protect Halifax from the Indians, but finds it would have no effect till the French Fort at Beauséjour and all the French settlements on the Bay of Fundy are absolutely extirpated, as he had good intelligence that as soon as the fortifications at Louisbourg were put into tolerable condition the French were determined to make themselves masters of the Bay of Fundy. Had, therefore, determined to attack them and had sent Monckton with a letter to Shirley with plan of the undertaking. The risk he ran in not waiting for instructions but is now relieved by their arrival, desiring him to consult with Shirley. Is assured from Boston that the men will be ready early in spring and hopes that arms will be received by that time. The battery on the eastern shore has guns mounted; what remains to be done is for defence on land side. Had consulted with Brewse as to the erection of a battery in front of the town, but that is so extensive, with deep water everywhere, that three batteries were found to be necessary. These will be ready, but guns are wanted of which he sends list, and list also of military stores. Urges that everything should be sent out early in spring. The necessity for another powder magazine. If the naval force is ordered off, the idea of attacking Beauséjour must be dropped; has written Keppell on the subject. Another armed sloop wanted for the service of the Province. Has referred to the Chief Justice the question of the rights of the French inhabitants; shall transmit his report. Has also referred the question of the authority of the Council; impossibility of calling an assembly under present circumstances. Sends returns, &c. H. 277, B. T. N. S. vol. 15
Enclosed. Proposals to Shirley mentioned in the letter. H. 278
List of ordnance, &c., wanted for the forts. H. 279

1755.

(Extracts were sent to the Secretary of State on 5th and 12th March, with requisition for ordnance, A. & W. I. vol. 597, p. 18, and a duplicate of requisition at p. 37 following the letter of 12th March in A. & W. I. vol. 597, pp. 33, &c.).

nuary 12, lifax. Lawrence to Lords of Trade. Sends victualling rolls and reports of the audit of accounts for provisions and stores. H. 286. B. T. N. S. vol. 15

nuary 13. Memorial of John Grant on the injustice in the present medical service in Nova Scotia, by which he and other surgeons are prevented from making a living. H. 270

Enclosed. Copy of a memorial to the Governor and Council of Nova Scotia on the same subject, with affidavit that he was refused an answer. H. 272

Affidavit of Sarah Dunlop that she worked in the hospital without receiving any reward. H. 273

Expenses of the hospital (items given).....	£1,173 1s. 6d.
Under the contract system proposed for the same number of patients (30)	780 0s. 0d.
Saving annually	£ 393 1s. 6d.

By certain restrictions, the number of patients could be reduced to ten; the saving in that case would be annually £963 1s. 6d. The restrictions and proposed rules are given. H. 274

nuary 16, lifax. Belcher to Lords of Trade. Had arrived at Halifax, after a passage of 26 days; his reception, &c. The impossibility of calling an Assembly at present. The proceedings at the assizes; recommends Nesbit, Crown Attorney, for a salary. H. 282

Enclosed. Copy of Belcher's Commission. H. 283

Observation on the power of the Governor and Council to make laws for Nova Scotia. H. 284

Abstract of the record of the Supreme Court, Michaelmas term, 1754. H. 285

nuary 23, hitehall. Secretary of State (Robinson) to Governors in America (circular). The King intends to augment the forces in America, including Nova Scotia, for the support of the colonies, &c. Men to be levied from among the inhabitants, to whom arms, &c., shall be issued. A. & W. I. vol. 605

A similar letter to Braddock of same date.

nuary 28, ndon. Memorial of Thomas Stephens for payment of materials sent to Halifax for erecting a work for making potash, with certificate and account of materials. H. 276, B. T. N. S. vol. 15

nuary 31, hitehall. Lords of Trade to Lawrence. Transmit memorial of John Grant, surgeon, complaining of the management of the hospital at Halifax, with remarks and instructions to have the complaint investigated. B. T. N. S. vol. 36, p. 108

bruary 10, hitehall. Secretary of State (Robinson) to Braddock. Authority given to Braddock to raise 2,000 men. A. & W. I. vol. 605

arch 5, hitehall. Lords of Trade to Secretary of State. Transmit Lawrence's letter and papers respecting the proposed expedition to dislodge the French from the Peninsula. B. T. N. S. vol. 36, p. 110

(There is a duplicate in A. & W. I., vol. 597, p. 16. The enclosures 5th November, 1754, and 12th January, 1755, are calendared at their dates).

arch 12, hitehall. Lords of Trade to Secretary of State (Robinson). Transmit Lawrence's requisition for ordnance and stores for three batteries at Halifax. B. T. N. S. vol. 36, p. 111

Representation to the King on the subject follows. 112

(Duplicate of letter and enclosures. A. & W. I. vol. 597, pp. 33, &c.)

1755.
March 13, Whitehall. Lords of Trade to Board of Ordnance. They have purchased a vessel to carry ordnance, &c., to Nova Scotia. B. T. N. S. vol. 36, p. 113

March 14. Memorial (undated) from John Taggart, for the sale of the sloop "New Casco" under his command and the purchase of another better suited for the service. (Received on the date in the margin). H. 280, B. T. N. S. vol. 15

March 17, Ordnance. Ordnance to Lords of Trade. As soon as orders are received for the issue of ordnance their Lordships shall be informed. H. 281

March 18, Ordnance. Same to the same. The ordnance and stores applied for have been ordered to be made ready for shipment. H. 289

March 26. Memorial (undated) of Henry Newton for payment of his services, as surgeon on board of the "Winchelsea." (Received on date in margin.) H. 292

March 31, Whitehall. Lords of Trade to Attorney and Solicitor General. For opinion whether the Governor and Council of Nova Scotia have power to enact laws. B. T. N. S. vol. 36, p. 114

April 11, War Office. Secretary at War (Henry Fox) to Lords of Trade. In consequence of the augmentation of the regiments of Lascelles, Warburton and Hopson, requests that directions may be given for providing additional barrack accommodation in Nova Scotia. H. 287, B. T. N. S. vol. 15

April 15, Ordnance. Ordnance to the same. Passages and provisions required for officers and men of the Artillery to complete the company at Halifax. H. 288

April 15, Whitehall. Lords of Trade to John Taggart. He is to take command of the "Halifax" purchased for the service of Nova Scotia, in room of the "Casco," and to proceed to Halifax. B. T. N. S. vol. 36, p. 115

April 16, Whitehall. Secretary of State (Robinson) to Governors (circular). To co-operate with Boscawen commanding the fleet and to send him all obtainable intelligence. A. & W. I. vol. 605

April 16, Whitehall. Same to Braddock. To co-operate with the commanders of the fleet. To prevent illicit trade with the French, Pennsylvania and New York being notorious guilty of supplying them with provisions. vol. 605

April 22, Whitehall. Lords of Trade to Board of Ordnance. The four officers and 14 recruits will be ordered a passage in the "Halifax," but not provisions. B. T. N. S. vol. 36, p. 117

April 29, London. Opinion of the Attorney and Solicitor General that the Governor and Council have not power to enact laws for Nova Scotia, but must act under the authority of commissions and instructions. Laws cannot be passed till an Assembly is called. H. 293, B. T. N. S. vol. 15

May 7, Halifax. Lawrence to Lords of Trade. All quiet. A French schooner taken at Port La Tour by the "Vulture" and condemned, which will facilitate Monckton's expedition against the garrison up the Bay. Prospect of a rupture with France; has been actively employed for defence. An account of disbursements for public works is enclosed. H. 296

May 7, Whitehall. Lords of Trade to Lawrence. Had received report of measures taken to dispossess the French of the forts at Beauséjour and on the north side of the Bay of Fundy and also account of ordnance, &c., necessary for defence. His justification; he shall not want for any assistance their Lordships can afford in any just measures for the welfare and security of the Province. The mischievious effects of the French forts; the active steps taken by their Lordships to send the ordnance, &c., asked for by Shirley and him (Lawrence). Their satisfaction at the improvement at Lunenburg and Lawrence Town, but their concern that the fishery is not properly followed; are doubtful of the reason for this; he is to use his utmost endeavours to revive a disposition in the settlers toward this industry. Send copy of opinion of the

1755.

Attorney and Solicitor General on the power of the Governor and Council to pass laws. B. T. N. S. vol. 36, p. 118.

(For opinion see 29th April.)

ay 13, Whitehall. Order in Council to forward ordnance, &c., to Nova Scotia. The estimates accompany the order. H. 298, B. T. N. S. vol. 15

ay 15, alifax. Belcher to Lords of Trade. Sends copy of evidence and arguments (enclosed) upon the trial of Street and others, for the murder of two men belonging to H.M.S. "Vulture." H. 311

ne 17, dinburgh. Memorial of William Jeffray, for an extension of his leave of absence. Prefixed is a letter from the Board of Ordnance that there is no objection provided the Lords of Trade consent. H. 295

ne 19, reasury. Treasury to Lords of Trade. To report by what authority Lawrence has drawn bills on the Paymaster General or otherwise. H. 294

ne 19, Whitehall. Lords of Trade to Treasury. They have no information by what authority Lawrence has drawn bills for which Kilby requests payment, but that they presume it arises from letter of Secretary of State mentioned in Lawrence's dispatch of 12th January. B. T. N. S. vol. 36, p. 129

ne 28, alifax. Lawrence to Lords of Trade. Surrender on the 16th of the French fort at Beauséjour and of the fort on the Gaspareau next day. The account of the large quantity of stores and provisions captured is not yet ready for transmission. Beauséjour surrendered after four days bombardment, before a single gun was mounted on the batteries. Monckton has called the fort Cumberland; he has been ordered to attack the fort at St. John. The deserting French are giving up their arms; they are to be driven out of the country, but if their services are needed they are first to be used. The possession of the isthmus will bring over the Indians. The expedition has cost more than was expected, but on the other hand are the large quantities of stores taken. Sends minutes of Council respecting Grant's charges (see 13th January); his bad character, the trouble he has given to other Governors and is now giving. Sends plan of the three batteries upon the beach before the town of Halifax, of which a description follows. Accounts sent of the year's expenses; after the battery and other works are completed, the excess of expenditure over the vote will not exceed £1,400. Sends also accounts of provisions and stores. The orders received to put a stop to victualling settlers at Halifax and Lunenburg; they have been acted on; but in consequence of representations the Council thought it necessary to order a partial allowance. Has retained the commissary and issuer of provisions. The good effect of Boscawen's capture of French ships with troops for Canada. Cannot now enter into consideration of the estimates, but shall do so as soon as he has a little leisure. H. 300, B. T. N. S. vol. 15

Enclosed. Copy of correspondence with the Governor of Louisbourg. H. 301, H. 302

Proposals for the capitulation of the French fort at Beauséjour and the terms granted. H. 303, H. 304

Return of barrack bedding. H. 305

Minutes of Council and other documents relating to the memorial of Grant respecting the management of the hospital. The papers show in detail the expenses of the hospital. H. 306

(An extract was sent to Secretary of State, A. & W. I. vol. 597, p. 39).

uly 1, alifax. Lawrence to Lords of Trade. Forwards dispatches by a vessel hired by the month; what is to be done if she is not wanted for service by their Lordships? H. 299, B. T. N. S. vol. 15

uly 5, dinburgh. Jeffray to the same. Further respecting his leave of absence. H. 297

1755.

July 16, Whitehall. Lords of Trade to Secretary of State (Robinson). To instruct Braddock to report what forts should be built to protect the frontiers of America. A. & W. I. vol. 605

July 18, Halifax. Lawrence to Lords of Trade. The French have abandoned their fort on the St. John and demolished it, so far as they could. Rous sailed for the river; found no ships there; on his arrival the French burst their guns, blew up their magazines and burned everything they could. The Indians give strong assurances of their desire to make peace. The French inhabitants were offered the oath of allegiance and warned that if they refused to take it and to become British subjects, they would be sent to France and till then must be kept prisoners on George's Island, to which the deputies were at once taken, where they offered to take the oath, but were not admitted till it should be seen how the rest of the inhabitants were disposed. Is determined to bring the inhabitants to compliance or rid the Province of such perfidious subjects. Gives result of the conference with Boscawen and Mostyn on the defence of the Province. H. 307, B. T. N. S. vol. 15

July 28, Halifax. Minutes of Executive Council of the 3rd, 4th, 14th, 15th 25th and 28th July, containing the conferences with the deputies of the French inhabitants; the representations of the inhabitants (in French); the remarks of the Council and their resolution respecting the disposal of the French inhabitants. A. & W. I. vol, 597, p. 66

(A copy of these was sent to Secretary of State on 26th November).

July 28, Halifax. Opinion of Chief Justice Belcher on the removal of the Acadians. Opposes the admission of the Acadians to take the oath of allegiance; gives details of their conduct from the date of the treaty of Utrecht onwards; states the proportion of the French to the English speaking population. Of French there were:

"At Annapolis	200	families	at	5 each	1,000
" Mines	300	"	"		1,500
" Piziquid	300	"	"		1,500
" Chignecto	800	"	"		4,000
					8,000
" English	600	"	"		3,000

"Balance of the French against the English inhabitants 5,000

"Besides the French at Lunenburg and the Lunenburgers themselves "who are more disposed to the French than to the English."

A. & W. I. vol. 597, p. 101

August 6, Whitehall. Report by Pownall of the steps taken to supply the 1,000 beds applied for by the Lieut.-Governor of Nova Scotia. 44

August 6, Whitehall. Lords of Trade to Lords Justices. Transmit for directions therefrom, return of barrack bedding required. B. T. N. S. vol. 36, p. 132

August 11, Halifax. Lawrence to the Governors (circular). The refusal of the French inhabitants to take the oath of allegiance; the help they constantly give to the French and Indians. The necessity for their removal and division among the colonies, from the probability that they would otherwise largely strengthen Canada, to the danger of all the Provinces.

H. 312, B. T. N. S. vol. 15

August 29, Whitehall. Lords of Trade to Lords Justices. Send report of the number of white inhabitants in the colonies of North America. A. & W. I. vol. 605

The return, enclosed, shows the number in Nova Scotia in 1754 to have been 4,000 with 1,200 of a militia.

September 8. Translation from the Spanish of a letter published in the Utrecht *Gazette* of 8th September, "with some remarks upon a Piece entitled "a brief Examination of the ancient Limits of Acadia."

A. & W. I. vol. 597, p. 46

1755.
September 9, Whitehall. Lords of Trade to Lawrence. Congratulate him on the reduction of the French forts of Beauséjour, Baie Verte and St. John. Had they known Grant's character, they would not have given trouble about his memorial. B. T. N. S. vol. 36, p. 133

October 18, Halifax. Lawrence to Lords of Trade (Extract). The necessity of building forts at Chignecto and on the St. John. The duties of surveyor and paymaster of works described. The necessity of having a surveyor of woods. The French deputies refuse to take the oath of allegiance or to acquiesce in any measures consistent with His Majesty's honour, or the security of the Province, although sufficient time was given them to deliberate. The Council therefore resolved that they should quit the Colony and consulted as to the best means of effecting this. The danger of driving them to Canada or Louisbourg, as it would reinforce these places with a body of men who were inveterate enemies of the religion and government of the Province; the only safe course was to distribute them in the Colonies from Georgia to New England; by the end of next month not one will remain. Every care taken to lessen the expense of transportation. Shall, on their removal, encourage settlers from the continent, so as to raise provisions, &c. The evacuation will furnish a supply of good land for the new settlers, deprive the Indians of provisions and intelligence and destroy the hopes of the French of possessing a Province which they regard as already peopled for them.
H. 311, B. T. N. S. vol. 15

(Two extracts were sent to Secretary of State on 26th November, which see. The extracts are in A. & W. I vol. 597, pp. 60, 66).

October 18, Halifax. Estimates for works, building supplies, &c., for Nova Scotia for 1756.
H. 313, B. T. N. S. vol. 15

Estimates for other expenses. H. 314

October 18, Halifax. Lawrence to Lords of Trade. Had submitted the question of a House of Representatives to the Chief Justice, who would report direct.
H. 316

October 26, Whitehall. Secretary of State (Robinson) to Governors (circular). To assist Pepperrell and Shirley in raising troops for the projected expedition.
A. & W. I. 605

October—(?) Situation of affairs in America. (Undated. Braddock's defeat mentioned took place on 9th July. Letters containing private accounts from Boston, are down to 18th August). Lawrence has resolved to remove the French inhabitants from Nova Scotia and was preparing vessels for the purpose. vol. 605

November 26, Whitehall. Lords of Trade to the King. Owing to Hopson's resignation from ill health, recommended that Charles Lawrence be appointed Captain General and Governor-in-Chief and Robert Monckton Lieut.-Governor of Nova Scotia. B. T. N. S. vol. 36, p. 135

November 26, Whitehall. Same to Secretary at War (Henry Fox). Send extracts from Lawrence's letter on the necessity of fortifying the isthmus of Chignecto and of building a strong fort on the St. John to secure them against future attempts of the French, also on the proceedings of the Council to induce the French inhabitants to take the oath of allegiance. 136

(See also A. & W. I. vol. 597, p. 58. The enclosures, 28th July and 18th October, calendared at their dates.)

December 2, Whitehall. Lords of Trade to the King. Recommend Robert Grant to be appointed a councillor for Nova Scotia. B. T. N. S. vol. 36, p. 138

December 3, Treasury. Treasury to Lords of Trade. Certain ordnance expenses to be inserted in the estimates for Nova Scotia that are to be laid before Parliament.
H. 317, B. T. N. S. vol. 15

Enclosed. Letter on the subject from the Board of Ordnance. H. 318

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The account follows.

December 8, Halifax. Lawrence to Lords of Trade. Transmits report from the Chief Justice on the manner of convening an Assembly, on account of the laws. None were passed except for the good regulations of Halifax and encouragement of commerce, at the request of the people, as was done in Virginia on its first establishment. The promise to call an Assembly, made to the first settlers, has not been broken, as Halifax is the only township qualified to send two members and they alone could not form an Assembly. The inconvenience that will arise from calling twelve members in the form of a county election. The necessity for a house to meet in, for the salaries of a clerk and other officers, as the people are not in a position to meet these expenses. I. 5, B. T. N. S. vol. 16

Enclosed. The report. I. 6

December 18, St. James's. Order in Council to appoint Charles Lawrence Governor-in-Chief of Nova Scotia in room of Hopson, resigned. I. 1

Same date, Monckton to be Lieut.-Governor. I. 2

Same date. Robert Grant to be a member of Council. I. 3

Same date. Warrant to Lawrence to admit Grant approved of. I. 9

December 18, Whitehall. Lords of Trade to the King. Transmit commission, in the usual form, for Lawrence to be Captain General, &c.; shall have instructions prepared. B. T. N. S. vol. 36, p. 139

December 18. Whitehall. Same to the same. Lay before His Majesty the warrant appointing Monckton Lieut.-Governor of Nova Scotia. 140

The warrant is in B. T. Plantations General, vol. 52, p. 77.

December 18, Whitehall. Lords of Trade to the King. Transmit warrant directing Lawrence to swear in and admit Robert Grant to be a member of Council. B. T. N. S. vol. 36, p. 141

The warrant is in B. T. Plantations General, vol. 52, p. 76.

December 22, St. James's. Commission to Lawrence approved of. I. 7, B. T. N. S. vol. 16

Monckton's commission approved of on the same date. I. 8

December 24, Elizabethtown. New Jersey. Belcher to Lords of Trade. Had sent proceedings of the Supreme Court and laid before the Governor his views in relation to the calling of an Assembly. Submits his views as to the propriety of removing the French inhabitants. Urges an increase to the salary of the Clerk of the Court, who is not allowed to solicit cases as was done by his predecessor. I. 10, B. T. N. S. vol. 16

Enclosed. Reasons for the removal of the French inhabitants. I. 11

(The reasons cover five closely written pages of large foolscap, each page divided into two columns).

Proposals for convening an Assembly in Nova Scotia. I. 12

No date. "Instances of Encroachments made by the French upon the Rights of the Crown of Great Britain in America." These include the erection of forts, &c., in Nova Scotia. A. & W. I. vol. 605

1756.

January 15, London. Memorial of Chauncey Townsend, for repayment of £350, on his contract for provisions. I. 4, B. T. N. S. vol. 16

January 20. Estimate for the expenses of the settlement of Nova Scotia. B. T. N. S. vol. 36, p. 142

January 22, Whitehall. Lords of Trade to Treasury. Recommend payment of the claim of Townsend for £350. 144

March 2, Whitehall. Same to the King. Transmit proposed general instructions and those relating to trade. In the latter there are no alterations. B. T. N. S. vol. 36, p. 147

Instructions follow. 150

March 25, Whitehall. Lords of Trade to Lawrence. He has been appointed Captain General of Nova Scotia; commission and instructions are sent. Had received dispatches with enclosures. An estimate has been laid before Parliament, amounting to £55,032 19s. 0d., which sum has been

1756.

voted. (The estimate is at p. 142 of vol. 36). To proceed as rapidly as possible with works of defence, as war with France seems now to be inevitable. Have submitted that part of his letter respecting the removal of the French inhabitants, which will no doubt be approved of. Notwithstanding the difficulties of calling an Assembly, yet it is a less evil than the illegal passing of laws by the Governor and Council. The first Assembly must consist of people in trade, yet for both elected and electors there must be a landed qualification, however small; the precise form must be left to his discretion. Recommend that the form of the writ, its execution, election of a speaker, &c., should be modelled on that of New Hampshire as the best (regard being had to different circumstances); reference should also be made to copies of instructions to the Governor of Georgia and to the minutes of Council of that Province. He is to guard against fixing the period of the first Assembly to three years, as circumstances may require its early dissolution and long sessions must also be guarded against. How he is to act in the first Assembly; to report the defects of the plan and their cause. The Earl of Loudoun to be Commander-in-Chief in America and Governor of Virginia; two battalions ordered to be sent; four to be raised in the country.
B. T. N. S. vol. 36, p. 273

(The form of the New Hampshire writ and proceedings of Council and Assembly are in vol. 2 of B. T. New Hampshire, marked A. 39. The instructions, not dated, but sent in letter of 6th August, 1754, are in B. T. Georgia, vol. 14, p. 106; the commission, which is local to Georgia, is in the same volume p. 68. The minutes of the first legislature in Georgia are in B. T. Georgia, vol. 35, being the minutes of both Houses from 7th January to 21st February, 1755).

April 7. Memorial of Thomas Ainslie for payment of his expenses in bringing dispatches. I. 13, B. T. N. S. vol. 16

April 7, Whitehall. Minute of Lords of Trade on the number of French inhabitants of Nova Scotia sent to England by the Governor of South Carolina with warrant for their removal. B. T. Journals, vol. 64

April 14, Whitehall. Lords of Trade to Secretary of State (Henry Fox). The six French inhabitants of Nova Scotia sent over by the Governor of South Carolina, charged with a crime of which there is no proof should be sent to France; to return them to America would expose them to almost insurmountable difficulties. The opinion of Chief Justice Belcher on the removal of the Acadians is enclosed. B. T. N. S. vol. 36, p. 284

(Compare with copy in A. &. W. I. vol. 597, p. 99).

For opinion of the Chief Justice, see 28th July, at which date it is calendared.

April 28, Halifax. Lawrence to Lords of Trade. Little of moment has occurred; the New England troops have demanded their dismissal on the expiry of their term; some have already sailed. Recruiting has met with little success; it will be impossible to send troops to St. John river this summer. The different Provinces have received the French inhabitants sent them. Capt. Preble has destroyed the French settlement at Cape Sable and carried off the inhabitants as ordered. Sends list of bills drawn which include cost of transport for the removal of the French, for the expedition to the Bay of Fundy and other services. Sends also commissary's accounts, victualling rolls, &c. I. 15, B. T. N. S. vol. 16

April —, Memorial of Mrs. Lockman, for payment to her husband, Leonard Lockman, surgeon, for the medicines supplied by him to the settlers, with relative documents. I. 14, B. T. N. S. vol. 16

May 5, Whitehall. Lords of Trade to Lawrence. To examine and, if found correct, to pay Mrs. Lockman's claim for medicines purchased by her husband for the settlement. B. T. N. S. vol. 36, p. 286

1756.

May 25, Halifax. Lawrence to Lords of Trade. Sends duplicate and minutes of Council, the latter showing the appointment to Council of Montague Wilmot and Charles Morris. French inhabitants and Indians have been killing and scalping in different parts of the Province. To put a stop to this, has offered a reward for prisoners and scalps, and already three parties of volunteers are out besides troops. I. 23, B. T. N. S. vol. 16

June 17, Whitehall. Lords of Trade to Secretary of State (Henry Fox). Send copy of letter from Lidderdale, Harmer & Farrel, dated 14th, that a ship of theirs had been chartered to bring from Virginia 300 of the French that had been transported there from Nova Scotia. What orders are to be given for their disposal? A. & W. I. vol. 598, p. 110

The letter follows. 112

July 6. Memorial by Samuel Waldo for grant of lands in Nova Scotia, acquired from the heirs of Sir Thomas Temple. I. 16, B. T. N. S. vol. 16

July 8, Whitehall. Lords of Trade to Lawrence. Have received dispatch with accounts; vouchers wanted. Are concerned at the withdrawal of the provincial battalions and of the insufficiency of the force even to keep the posts already held. Approve of his having written to the Secretary of State on the subject; have no doubt he (Lawrence) will be properly supported. Hope he has carried into effect the directions of the 25th March for calling an Assembly. The want of information prevents them from making further observations on the state and progress of the Province. Notwithstanding his report that the Acadians had been received in the Colonies, several hundreds had been sent to England and instructions had been given to secure and maintain them. The withdrawal of the New England troops puts an end to their expected settlement of Nova Scotia. The importance of making settlements; there should be no difficulty in obtaining settlers from the other colonies and he should take means to this end. B. T. N. S. vol. 36, p. 287

August 5, Halifax. Lawrence to Lords of Trade. Commodore Holmes having had an engagement off Louisbourg is sending the "Hornet" with dispatches to the admiralty. His commission, intructions, &c., as Governor received; returns thanks. The French fleet driven back to Louisbourg was much superior in force to that of Holmes; cannot learn whether these ships were from Canada or France, nor the strength of the enemy in North America, but there is no doubt it is greatly increased since last year; is sending a flag to Louisbourg to ascertain. Is carrying on the work at St. George's Island with all dispatch. Will go to New York to meet Loudoun with the other Governors. French inhabitants sent to Georgia and South Carolina have been assisted at the public expense and are making for Nova Scotia; is taking precautions to prevent their return. I. 17, B. T. N. S. vol. 16

Enclosed. Order in Council. Approving of the commission to Lawrence as Governor of Nova Scotia. I. 18

(The commission cannot be found).

Circular to Governors, 1st July, to prevent the return of Acadians from Georgia and South Carolina. I. 24

October 3, Halifax. Lawrence to Lords of Trade. Nothing extraordinary has happened since his letter by the "Hornet," except the loss of a few men at the outposts by Indians and French inhabitants lurking in the woods, to fire upon parties and make off. Seizure of Oswego, by the French which may delay Loudoun's expedition to Crown Point and facilitate sending detachments to Chignecto. Had agreed with the Council to demolish the small forts at Baie Verte and Chignecto and concentrate the forces at Fort Cumberland: orders sent to Scott accordingly. I. 19

(A duplicate of this letter is enclosed in that of 14th October, with a postscript dated the 6th, not in the original).

1756.
October 9, Whitehall. Lords of Trade to Lawrence. His letter of 25th May not received; he should always send duplicates. B. T. N. S. vol. 36, p. 296

October 11, Halifax. Lawrence to Lords of Trade. Sends accounts and estimate, the latter of which contains explanatory remarks on the differents heads of expenditure. Victualling rolls forwarded. Accounts for the expedition to the Bay of Fundy and the removal of the French inhabitants shall be sent when the payments are completed. This letter enclosed in bundle marked. I. 20, B. T. N. S. vol. 16

October 14, Halifax. Same to the same. Accounts for the expenses of 1755 were sent on the 11th, with the estimate for 1757, of which he sends duplicate. Nothing unusual has happened; is preparing to leave for New York.

Enclosed. Duplicate of letter, with postscript (new) dated the 6th, also of the 11th, which is calendared at its date. I. 20, B. T. N. S. vol. 16

November 3, Halifax. Lawrence to Lords of Trade. Had sent off accounts before receiving their Lordships' letter. The impossibility of sending them sooner owing to the multiplicity of affairs, some of which are enumerated, besides the illness of Cottrell, the Secretary. Is gratified that he is to receive a reinforcement, which may enable him to establish a fort at the month of the St. John River and to dispossess the French who are on that river and at Chignecto, which they were able to keep because he had no force available for the undertaking. Encloses minutes of Council showing the efforts made to retain the New England troops. Ships of war, on his request, have visited Baie Verte and the North side of the Bay of Fundy, so that the French have not attempted to re-establish the old fort. Minutes of Council sent by the "Hopson," which was captured but retaken; as the master had orders to throw the dispatches overboard these must have been lost; duplicates sent. Had laid aside his design to visit New York, owing to letters from their Lordships. The Chief Justice has returned; as soon as he concludes the business of the Supreme Court, the proposals of their Lordships shall be taken up. The difficulty of making alterations in the present form of Government, under which no one has been injured. A House of Representatives at this moment would create heats, animosities and disunion. Defends himself against the charge of not sending sufficient information. Since hostilities began the fishery and settlements are at a stand; the duties on spirits, to be applied to bounties on fish and oil and for clearing land, have been unable to meet them and the fund is in debt £1,000, so that the bounties had to be stopped until the fund from the duty shall clear the debt; the abuse of the bounty on the part of the New England fishermen; shall try to rectify this. Lawrencetown being on the frontier is exposed to attacks from Indians; still some small progress has been made, owing to the protection afforded by the troops. Lunenburg will soon become very valuable if not interrupted by the enemy to whom it is greatly exposed, the inhabitants are very quiet and industrious, a good part of their farm lots being under cultivation. As the work of clearing is going on, the settlers must still have a small allowance of provisions, which has been made from the savings effected by Saul. The New York proposal for a settlement at La Have is dropped. The French inhabitants and Indians, by lying in wait on the roads, have been able to kill and scalp some of the people passing. Hopes when troops arrive from Ireland to be able to hunt them out of the peninsula. Had represented by circular to the Governors of the Provinces the fatal effects of the return of the French inhabitants to Nova Scotia from Georgia and South Carolina; in consequence, parties have been stopped at New York and Boston. His efforts to settle the evacuated lands not settled by Shirley. What can he do to encourage people to settle on frontier lands, where they run the risk of having their throats cut by inveterate enemies, who easily effect their escape from

1756. their knowledge of every creek and corner? Nothing can be done to settle until the country is possessed in peace and he cannot spare troops to defend settlements. His force is little enough for defence against an enemy largely strengthened from Europe. Shall set about convening an Assembly, so soon as the Chief Justice has finished his present work. I. 22, B. T. N. S. vol. 16

Enclosed. Letter from Lawrence of 25th May, calendared at its date.
Circular to Governors. I. 24
Remarks on convening an Assembly. I. 25
Abstract of account of duties and bounties to September. I. 26
Abstract of the state of the Treasury on acount of ordinary services. I. 27
Estimate of expenses for 1757. I. 28

"A fair representation of His Majesty's right to Nova Scotia or Acadia in answer to 'Discussion sommaire sur les anciennes limites de l'Acadie'." A. & W. I. vol. 597, p. 114

1757. January 7, Treasury. Treasury to Lords of Trade. Order to be obtained authorizing the Board of Ordnance to insert the sum of £536 18s. expended for the settlement of Chebucto, in the estimates to be laid before Parliament. I. 21, B. T. N. S. vol. 16

January 20, Halifax. Belcher to Lords of Trade. Sends account of a trial for counterfeiting Spanish dollars, &c. I. 31
Enclosed. Opinion of Justices of Nova Scotia on the case. I. 32
Record of the trial and conviction. I. 33
Questions of law arising during the trial. I. 34

February 3, Whitehall. Lords of Trade to the King. Send copy of requisition for ordnance for Nova Scotia. B. T. N. S. vol. 36, p. 298

February 8, Treasury. Treasury to Lords of Trade. To prepare estimates for Nova Scotia for 1757, to be laid before Parliament. I. 29, B. T. N. S. vol. 16
Enclosed. The order of the House of Commons for the estimates. I. 30

February 10, Halifax. Memorial of the inhabitants of Halifax on grievances from want of an Assembly. B. M. add. 19069, fo. 51
The signatures were acknowledged before Chief Justice Belcher on the 14th March. 52

February 16. Estimate of the charges for the settlement of Nova Scotia for 1757, amount £28,789 5s. 1d. B. T. N. S. vol. 36, p. 299

March 5, Halifax. Complaint by John Grant that Lawrence had ordered the destruction of a house built on his (Grant's) wharf. I. 52, B. T. N. S. vol. 16
Other complaints against the Governor. I. 53 to I. 58

March 7, Whitehall. Lords of Trade to Lawrence. The exportation of grain and other victual from the Colonies is prohibited, except to Great Britain, Ireland or other colonies. A. & W. I. vol. 597, p. 146
(A circular letter to all the Governors.)

March 10, Whitehall. Lords of Trade to Lawrence. Dispatches and vouchers, &c., received; the large amount of the exceedings; hope when the items of the account are received they may be found recoverable. The insufficiency of the vouchers for provisions under the present arrangement; the expense for victualling the troops and ordnance has been transferred to the Secretary at War and Board of Ordnance. No alteration has been made in the estimate he sent, except that the sum of £40 has been added for the rent of a house to Brenton, a missionary. An increase to the Attorney General's salary is left to his discretion. Their satisfaction at the favourable account of Lunenburg; provisions to be allowed. Approve of pay to 30 Germans for military service in the fort, &c., at the back of Lunenburg, and the opening of a road between there and Halifax. The advantage to Halifax of out settlements; regret the little progress of Lawrencetown owing to its exposed situation. Regret that so many of the French in-

1737.

habitants are left, who have it so greatly in their power to molest the out settlements. The blamable conduct of the Southern colonies in allowing these people to coast along from one Province to another, till they could reach Nova Scotia; had they not been stopped by the Governors of New York and Massachusetts, there is no attempt, however desperate and cruel, that might not have been expected from them, exasperated as they must have been by the treatment they had met with. The difficulty of inducing people to settle in a country exposed to hostility, but this does not prevent the calling an Assembly; their desire on this point does not arise from complaints of injustice; had the petition on the subject of an Assembly contained any such complaint, he would have been communicated with before any steps were taken; the decision as to an Assembly was come to long before the petition was presented; they have entire confidence in his justice and integrity.
B. T. N. S. vol. 36, p. 300

March 18, London. De la Rochette to the Acadians (in French). DeNivernois has informed him that the treaty of peace has been signed and that preparations are to be made by the Acadians to leave for France. B. M. add. 19069, fo. 62

April 1, Whitehall. Lords of Trade to Attorney and Solicitor General. Transmit papers for opinion on the case of two persons convicted in Nova Scotia of counterfeiting and uttering Spanish dollars and pistereens.
314

(Another paragraph of the letter relates to matters in Jamaica of a local nature).

May 3, Halifax. Presentment of the Grand Jury on the inconvenience caused by the want of a civil Government in Nova Scotia. I. 45, B. T. N. S. vol. 16

May 18, London. Opinion of Attorney and Solicitor General on the law points raised on the trial for counterfeiting Spanish dollars (See letter from Belcher of 20th January). The law relating to counterfeiting did not extend to Nova Scotia. I. 35

June 3, Whitehall. Lords of Trade to Belcher. Send opinion of the Attorney and Solitor General on the case of John Young for conterfeiting Spanish dollars.
B. T. N. S. vol. 36, p. 316

July 6. Annonymous letter to Lords of Trade, complaining of the Governor and Lieut.-Governor delaying to call an Assembly and advising their recall. (Undated. Received on the date in the margin). I. 36, B. T. N. S. vol. 16

A letter from Jonathan Belcher, John Collier, Robert Grant and Charles Morris, members of the Executive Council, dated 12th March, received at the same time as the preceding, complaining of the delay in calling an Assembly and of other grievances. I. 38

Resolutions of Governor and Council, contained in letter from Belcher, &c., for convening an Assembly, to consist of 22 members, with their constituencies. These, it was complained in Belcher's letter (I. 38), had not been carried into effect. I. 39

July 25, Whitehall. Lords of Trade to Treasury. Recommend the payment to Kilby of £6,648 8s. 11d. to discharge bills of exchange drawn on him.
B. T. N. S. vol. 36, p. 317

October 13. Monckton to Lords of Trade. Lawrence sent to command the troops for the relief of garrisons on the Bay of Fundy. Has received dispatches with estimates laid before Parliament. The public and commissary's accounts shall be sent with the admiral, as also the minutes of Council. The few inhabitants remaining at Lawrencetown to be withdrawn, as they are in continual danger from the enemy. No attempts have yet been made to manufacture iron from the ore, which he has no doubt exists in the country. The number of troops and where posted. I. 42, B. T. N. S. vol. 16

October 13, Halifax. Same to Pownall. Letters received. Major Lockman appointed an overseer of works. Lawrence will write from Jamaica on the subject of the claims. I. 43

1757. October 15, Halifax. Monckton to Lords of Trade. Wrote on the 13th. Had written to the admiral on the want of ships of war. A cruiser reports that 17 French line of battleships are in Louisbourg harbour. I. 40, B. T. N. S. vol. 16

Enclosed. Letter to the admiral, that ships should be left to protect the harbour. I. 41

November 2, Halifax. Lawrence to Lords of Trade. Has returned to Halifax, after putting the posts at the Bay of Fundy in a state of defence. I. 44

November 9, Halifax. Same to the same. Recapitulates contents of previous letter. It is reported that all the French ships, except two and a frigate, had left Louisbourg. Sends accounts and estimate, with remarks. Enters at some length into the reasons for the continuance of provisions to the Lunenburg settlers. The necessity for opening the coal mines near Chignecto in order to maintain the posts; the saving that would be effected by continuing to work them; other advantages in clearing and cultivation that would follow the use of coal instead of firewood. The proposal from New England for a settlement on Cape Sable abandoned. Were hostilities to cease, settlers would flock into the lands, particularly those in the district of Chignecto, so that there would soon be abundance of provisions. From his own observation is certain that 20,000 families could be commodiously settled in the districts of Chignetco, Cobequid, Minas, Pisiquid and Annapolis. Has no information respecting the lands about Cape Sable, but believes from the eagerness of the people of Cape Cod, that it is better situated for the fishery than any other part of the coast. Is glad to find that their Lordships agree that the circumstances of the times operate against calling an Assembly; the best informed agree on this point. Remarks on the reports circulated against him on this subject. If, however, their Lordships order the calling of an Assembly, he shall not delay a moment in doing so. The work of clearing has not advanced so rapidly as could be wished, owing to the people engaging too rashly in the work of privateering; the want of success may remedy this. Remarks on items in the estimate. Certificates respecting the accounts of Saul, the commissary, cannot be given, as Hopson had carried off all books and papers relative to his administration; reference may be made to the audited accounts. Sends minutes of Council, list of bills drawn, abstract of expenditure, victualling rolls and audit of Saul's accounts. The admiral will sail in two days, leaving eight ships to winter for the protection of the colony. I. 46

Enclosed. Estimate for 1758. I. 47

Letter from Saul respecting accounts. I. 48

(An extract was sent to Secretary of State on 8th February, 1758, relating to clothing for the rangers, &c. A. & W. I. vol. 597).

November 11, Whitehall. Lords of Trade to Lawrence. Complain that he has not sent account for the expenses of 1756, which has caused great inconvenience and may affect the credit of Nova Scotia. B. T. N. S. vol. 36, p. 319

1758. January 12, Halifax. Lawrence to Lords of Trade. The delay complained of in transmitting the accounts for 1756 was due to his absence from Halifax for the defence of Chignecto; had sent them immediately on his return. I. 62, B. T. N. S. vol. 16

Enclosed. List of bills drawn. I. 63

January 27, London. Freeholders of Halifax, by Ferdinando John Paris, stating their grievances. I. 49

Enclosed. Statement of facts. I. 50

Appendix to the statement. I. 51

January 27, Whitehall. Minute of Lords of Trade respecting the charges made by the Freeholders of Halifax, with summary of argument, to end of paragraph: "Cotterell, Secretary of the Province of Nova Scotia, now in England."

1758.

Also minutes of 3rd and 7th February on the same subject, down to "satisfied with and then withdrew." B. T. Journals, vol. 66

February 7, Whitehall. Lords of Trade to Lawrence. Dispatches received with account of the state of the Province, accounts for 1756 and estimate for 1758. They had hoped from the account of the settlement at Lunenburg that the people there would no longer require the provisions for which so large a sum is asked. The allowance was only to be for a year or two, and they cannot ask Parliament for a continuance unless it be clearly shown that the settlers cannot raise enough for their own support, which is not the case, as they have been able to send a large part of their produce, to the market at Halifax. The amount cannot be put in the estimate, but should any unforeseen misfortune happen they do not wish to tie his hands from affording assistance. The great expense of fuel for the garrisons seems a cogent reason for working the colliery, but that must be done under regulations and restrictions, the nature of which they indicate. Respecting settlers from New England; the arrangements for an Assembly, &c. The steps they have taken on the complaint of Paris against the proceedings of the Governor and other officers.
B. T. N. S. vol. 36, p 323

February 8, Whitehall. Same to Secretary of State (Pitt). Send extract from Lawrence's letter of 9th November, for bedding and clothing for the rangers and with estimate sent by him for other military services. If the demands are complied with the expenses should be defrayed as is done with the other military services in America. They are, therefore, omitted from the estimate for the civil establishment in Nova Scotia, they being unauthorized to give directions thereupon, and, are incompetent judges of the nature of the demands. 343

The estimate for military services, amounting to £12,561 2s. 11¼d., follows. 346

The same for maintaining the settlement of Nova Scotia, £9,902 5s. 0d. 347

(See also A. & W. I. 597, pp. 149, &c.)

March 7, Treasury. Treasury to Lords of Trade. To prepare estimate of the charges for the settlement of Nova Scotia to be laid before Parliament.
I. 59, B. T. N. S. vol. 16

Enclosed. Order of the House of Commons for the estimate. I. 60

March 8, Whitehall. Lords of Trade to Lawrence. Send estimate for the charge of supporting the settlement for 1758 and copy of letter to Pitt on the military estimate. B. T. N. S. vol. 36, p. 348

April 26. Memorial of Ann Wenman for a salary as matron of the Orphan Home, Halifax. I. 61, B. T. N. S. vol. 16

May 9, Halifax. Lawrence to Lords of Trade. Shall lose no time to execute orders about a House of Assembly, when the more immediate service on which he is engaged shall give him liberty. I. 64

May 9, Halifax. Same to the same. Sends abstract of the expenses for the expedition to the Bay of Fundy, removal of neutrals and public works at Fort Cumberland. The accounts for the works are not yet completed.
I. 65

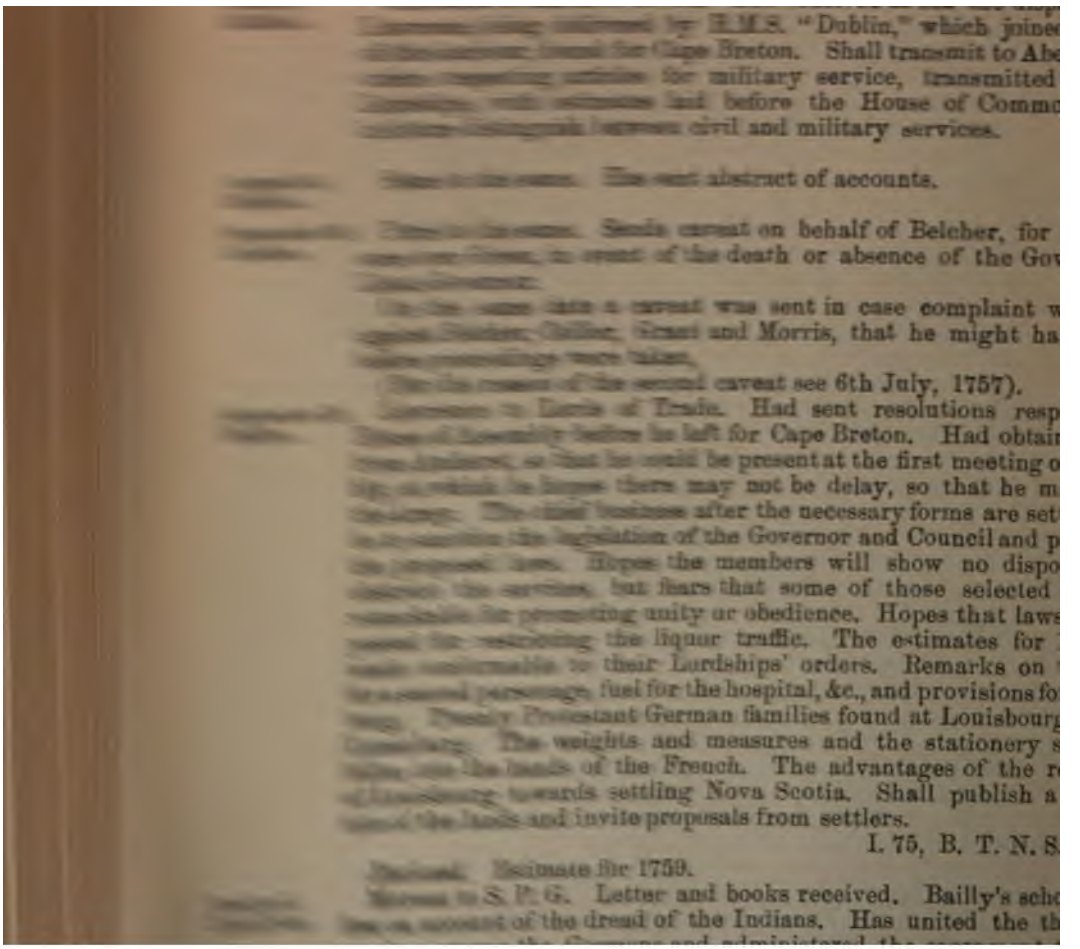
Enclosed. Abstract. I. 66

(See also A. & W. I. vol. 597, p. 155).

May 12, Whitehall. Lords of Trade to Lawrence. Send copy of petition from Ann Wenman for a salary as matron of the Orphan House at Halifax (see 26th April); to give such relief as the nature of the case may require.
B. T. N. S. vol. 36, p. 350

May 20, Halifax. Lawrence to Lords of Trade. Sends account for the ordinary expenses, for which he has drawn. I. 67, B. T. N. S. vol. 16

Enclosed. Abstract. I. 68



Memorial of Ann Catherwood, midwife, for leave of absence on account of her health. I. 82, B. T. N. S. vol. 16

Lawrence to Lords of Trade. Had sent estimates and other papers by Boscawen's fleet. The Assembly met on the 2nd October and passed several laws, list of which is enclosed: hopes to get through with less altercation than he expected. When the session is closed shall send fair copies of the Acts, Journals, &c. Encloses proclamation showing that he had taken advantage of the presence of the troops to reduce the enormous cost of labour. Has no doubt that the proclamation relating to settlement will have a good effect. The Indians still attacking Lunenburg and have killed a family in so bloody and barbarous a manner as to terrify and drive three fourths of the people from their country lots. Owing to the long absence of Cottrell, has appointed Bulkeley to be Secretary of the Province. Loss of the provincial sloop "Ulysses," proposes to have the loss made good from the contingencies of the army. I. 85

Enclosed. List of Acts passed. I. 86

(Misplaced; this should be I. 92, and that should be placed here).

Proclamation 12th October, for proposals by settlers and description of the lands. I. 87

Another, 14th November, to encourage the troops to work for the inhabitants at specified rates. I. 88

Lawrence to Lords of Trade. In consequence of doubts with regard to the extent of the terms in the proclamation to settlers, has, with the advice of Council, issued an additional proclamation of which copy is enclosed. The necessity for action, as delay would be very detrimental to the peopling of the Province; hopes, therefore, their Lordships will approve of the terms of the proclamation. The slow progress of the Assembly, owing to jealousy of the Council. I. 89

Enclosed. Additional proclamation. I. 90

Treasury to Lords of Trade. To prepare estimates for the service of Nova Scotia, to be laid before Parliament. I. 81

Estimate (£9,902 5s. 0d.) for the service of Nova Scotia for 1759. B. T. N. S. vol. 36, p. 351

Lords of Trade to Lawrence. Reasons for striking out of the estimate the military expenses and provisions for the settlers at Lunenburg; for the latter the sum of £800, has been allowed in the contingencies to enable him to make good engagements, into which he had too hastily entered. Their impatience for accounts of the new Assembly and for the effect of the proclamation respecting the lands vacated by the removal of the French inhabitants. A copy of that proclamation should have been sent. Transmit copy of Mrs. How's memorial (see October 12, 1758) and authorize him, if he shall find it just, as they believe, to make proper satisfaction to her and charge the amount to contingencies. 352

Same to the same. Send copy of letter to Mrs. Catherwood, midwife, that she may have leave of absence, on condition of her putting a person in her place, approved of by him (Lawrence). 359

Letter to Mrs. Catherwood of same date follows. 360

Moreau to the Society for the Propagation of the Gospel. Has in the course of the year administered the sacrament to all the Germans. On Easter day the French partook of the sacrament in great numbers. In the last half year he baptized 63 children, married 7 couples and buried 11 persons. Bailly behaves extremely well, but the number of his scholars is few from the fear of the Indians. Lambeth MSS. 1124—1, fo. 56

Lawrence to Lords of Trade. Arrival of agents from Connecticut and Rhode Island to examine the lands on the Bay of Fundy on behalf of some hundred associated families in these colonies. Is sending them in

1759.

a Provincial vessel with the principal surveyor and has no doubt they will return pleased. The first session of the Assembly ended on the 17th; the extravagant length of time it has taken. Shall forward the laws and journals when copies are ready. One of the laws is for the erection of a lighthouse on Sambro Island. The Indians have committed fresh murders at Lunenburg; these and the loss of their root crop have discouraged the settlers; if their allowance is withdrawn does not know how they are to subsist. Five soldiers have also been killed and scalped. Shall exert himself to the utmost to protect the inhabitants.

I. 91, B. T. N. S. vol. 16

List of Acts passed to 21st December. I. 92

(There are two lists. I. 92 should be I. 86 and *vice versa*).

July 4. Memorial from Charles Gould for payment of a balance due to his late brother King Gould, agent to the 40th regiment, commanded by Cornwallis. I. 93

Enclosed. Account showing the balance. I. 84

(Memorial is undated; it was received on the date in the margin).

August 1, Whitehall. Lords of Trade to Lawrence. The proclamation respecting lands vacated by the removal of the French received; its terms in respect to these are proper, but mixing them with the regulation respecting grants of uncultivated lands was irregular, as the two classes are on a different footing and his general instructions were framed when the dereliction of the lands occupied by the French inhabitants was not foreseen. His duty with respect to them was simply to receive and transmit proposals but not to make grants of them. He is to defer all further proceedings until His Majesty's pleasure can be known. B. T. N. S. vol. 36, p. 261

September 20, Halifax. Lawrence to Lords of Trade. His reasons for urging the continuance of provisions to Lunenburg, recommended in his letter of July. Has according to instructions stopped the allowance, but the Council found it necessary to grant £500 to the settlers, from the savings on the duty on spirits; since then the Indians and neutrals, especially the latter, have infested the Province more than ever and have turned pirates, sixteen vessels having already fallen into their hands. Has notified Admiral Saunders; the difficulty the poor settlers have to keep their ground and maintain their farm lots scattered over little less than forty miles. Other men have been murdered on the eastern shore. These will be accepted as reasons, he hopes, for continuing the allowance. The minutes of Council will show that Widow How has been paid the balance due. The delay in forwarding the proceedings of the Council and Assembly; some reflection on the conduct of the Council in the minutes of Assembly are without foundation; the petulance of the Assembly has caused the laws to be passed in an imperfect form. The minutes of Council show what has been done towards settling the Province from the other colonies; believes all the cleared lands and the whole coast to Cape Sable will soon be peopled. The reason for giving bounties, to which their Lordships might object. Improvements to the town of Halifax. The settlers at La Have and Port Senior are fishermen from Plymouth and dealers in lumber, and will enter immediately on their branches of business, those for Cape Sable are likewise fishermen. The Council minutes show the reason for the delay in the settlement of Minas, Canard and Pisiquid. Has added three new Councillors, a number necessary to make up a quorum. Reasons for inserting in the estimates the charge for the hospital. I. 93, B. T. N. S. vol. 16

Enclosed. Proclamation forbidding money to be charged by agents to people obtaining grants of land. I. 94

Copy of the grant of township. I. 95

Extracts, showing the grants of townships lately erected. These show the old names of the districts, the names of the townships, the

number of families to be settled and the time and number of the settlement of the first, second and third parties of settlers. The total number of families to be settled is 2,550. Of these 650 families or 3,250 souls to be settled in 1760; 1,300 families, or 6,000 souls in 1761; and 600 families, or 3,000 souls in 1762. I. 96, B. T. N. S. vol. 16

Estimates for 1760. I. 99

6, Wood to Society for the Propagation of the Gospel. Encloses copy of the collation of Breynton as Rector and of him (Wood) as vicar of St. Paul's church, Halifax. Lambeth MSS. 1124-1, fo. 72*a*

Enclosed. Collation. 72*a*

7, Breynton and Wood to the same (joint letter). Have applied for an addition from the people to the £70 granted by the society; enclose recommendation from the people to that effect; an annual tax to be laid on the pews. fo. 72

Enclosed. Recommendation. 72*a*

r 3, Lawrence to Lords of Trade. Sends duplicates of letter and papers, except of the laws, &c., which could not be got ready. Sends by transports 151 of the Cape Sable inhabitants who had been very mischievous. The lighthouse will soon be ready; sends chart of the harbour and entrance, with sailing directions. (The chart is among the Board of Trade maps, vol. 9, No. 8). K. 2, B. T. N. S. vol. 17

r 7, l. Lords of Trade to Cornwallis. To report on that part of Mrs. How's claim which was referred to him. B. T. N. S. vol. 36, p. 367

r 10, Lawrence to Lords of Trade. His mortification at the disapproval of his conduct in relation to peopling the lands; had believed, on the contrary, that it would be highly approved of. Quotes the instructions of their Lordships of 8th July, 1756, as his justification and this, he believed, was supported by the letter of 7th February, 1758, which he also quotes. When the letter of the 1st of August reached him, the fertile lands which will form the frontier had not been granted, so that they will be available as a reward for the officers and soldiers on a peace taking place. Great damage caused by a violent storm of wind and rain, raising the tides; the dykes that guard the marsh lands being particularly damaged. K. 7, B. T. N. S. vol. 17

r 14, l. Lords of Trade to Lawrence. Dispatches received. The proceedings in the grant of Horton, and laying out other ten townships approved of, subject to confirmation by the King who, they remind him, may determine to reserve part of these lands as a reward to disbanded officers and soldiers; desire him to point out how this can best be carried into execution. Their letter of 1st August was written before full information was received as to the disposal of the lands. They now approve of the steps taken by him and the Council; their satisfaction would have been greater could the settlement have been effected without expense to the public; they shall provide for it in the estimate, but hope it may not be extended to other townships. In reference to the reported contentious behaviour of the Assembly, believe both Houses were at fault from various causes. Have referred the documents for opinion of counsel and shall transmit it when received, with instruction. Shall write fully on the estimate for 1760 and the accounts for 1758. The expense for the hospital is to be charged to military contingencies and provisions for settlers at Lunenburg to be discontinued. B. T. N. S. vol. 36, p. 368

r 19, l. Same to Lamb. Send journals of Council and Assemby and the laws, for opinion whether the proceedings have been regular. 379

r 20, l. Same to the King. Representation on the terms and conditions proposed to a number of inhabitants of adjacent colonies to settle upon lands vacated by French inhabitants in Nova Scotia. 381

1759. December 27, Halifax. Lawrence to Lords of Trade. Had sent papers relating to the ments erected into townships. Transmits address from the As on the damage done by the storm for the consideration of thei ships. K. 8, B. T. N. S.

Enclosed. Address of the Assembly for assistance to poor sett the damages caused by the storm.

1760. Memorials for relief. K. 1

January 12. Halifax. Lawrence to Lords of Trade. Transmits address from the As the object of which is to unite the people at Lunenburg with the of England. Thinks an English will be better than a German m or one speaking both languages, as the old people are suf acquainted with English and the young speak little else. The tion given by the lighthouse; proper glass wanted.

Enclosed. Address of the Assembly, respecting a Church of missionary and schoolmaster for Lunenburg.

Number and dimensions of panes of glass wanted for the light

January 28. Treasury. Treasury to Lords of Trade. Estimates for Nova Scotia to be p to be laid before Parliament.

January 29. Whitehall. Estimate (£11,785 6s. 10d.) for maintaining the settlement Scotia. B. T. N. S. vol. 3

February 1. Whitehall. Lords of Trade to Lawrence. He is to send each law separa sealed, instead of in a book under one seal.

February 16. Audley Square General Townshend to Gorham. Offers of service, when his power. Dartmouth

March 7. Whitehall. Lords of Trade to Lawrence. Send minutes of their proce the case of Mrs. How. Have ordered publication of chart se for the lighthouse ordered. B. T. N. S. vol. 3

March 7. Whitehall. Same to the same. Parliament has voted £5,851 4s. 9d. exceedings of 1758 and £11,785 6s. 10d. for 1760. Send copie estimates for 1758 and 1760, with remarks. Strong recommend economy to prevent a constant recurrence to Parliament for e payments over the estimates. Respecting the arrangements settlement at Annapolis; he is to make inquiry into the co of the settlers there and into the demands of the fishermen pool, who could not have been affected by the inundati effects of which were complained of by the fishermen at Annap report on various points in the terms of settlement, which are in minute detail and at considerable length.

March 12. Whitehall. Minute (last paragraph) of Lords of Trade, with respect to c stock left by French inhabitants of Nova Scotia. B. T. Journals, vol.

Continued on 13th, with the substance of Grant's information.

Continued on 18th with Winslow's information.

March 15. London. Report of Sir Mathew Lamb on the minutes of the Governor, and Assembly of Nova Scotia during the first session of the Le K. 19, B. T. N. S

March 17. Halifax. Lawrence to Lords of Trade. Has drawn for £8,427 13s. 6d. i of Hancock & Apthorp, giving his reasons.

March 21. Memorial (undated) of Jonathan Bernard, administrator of t of Captain John Gorham, for payment of arrears, &c., due to h statement of the account.

A report on the accounts by Cumberland, dated 28th March.

March 24. London. Richard Cumberland to Lords of Trade. No credit has been the proceeds of cattle or stock belonging to the French inhab Nova Scotia.

Lords of Trade to Treasury. Respecting the disposal of a large quantity of live stock, forfeited to the Crown by the removal of French inhabitants of Nova Scotia, to ascertain its disposal and if the amount for which it was sold had been credited by the contractors and others. B. T. N. S. vol. 36, p. 428

W. Adair to Lords of Trade. Requests that Benjamin Green may, as desired by Hopson, be brought from Halifax to pass the General's accounts. K. 20, B. T. N. S. vol. 20.

Documents follow. K. 21, K. 22

Lords of Trade to Lawrence. To allow Green to come to England for the purposes stated in Hopson's memorial (enclosed) to the Treasury; a reasonable allowance is to be made to a person officiating during his absence. B. T. N. S. vol. 36, p. 433

(Hopson's memorial marked K. 21, and minutes of the Treasury, K. 22, are both in vol. 17 of this series).

Memorial of Robert Grant to be reinstated as a member of the Council of Nova Scotia, from which he has been improperly dismissed. K. 24, B. T. N. S. vol. 17

Lawrence to Lords of Trade. His satisfaction at the approval of his conduct in settling the Province. The prospects continue good, but as they may be wanted for the reduced troops, he has ceased to give grants of cleared lands. Morris sent to survey and lay out townships for the fishery; he is then to proceed to Annapolis, Minas and Pisiquid. Had brought about 300 prisoners from St. John River, who are detained till he has an opportunity to send them to England. Peace concluded with several tribes of Indians. Discusses the question of the fur trade. Steps taken to set aside grants of land at Minas and Chignecto made in 1736 by the Lieut.-Governor and Council to themselves on which no duties had been done nor quit rents paid. Sends list of places suitable for settling disbanded soldiers; how they may be settled; thinks, however, that the soldiers would do better near old settlements. Sends list of laws passed. K. 26

Enclosed. List of places in Nova Scotia, where disbanded soldiers might be settled. K. 27

List of laws passed in the General Assembly. K. 28

Lords of Trade to Lawrence. Enclose memorial from Robert Grant (see May 8) respecting his removal from the Council. If the statements are true, his removal was not warranted. B. T. N. S. vol. 36, p. 434

Lawrence to Lords of Trade. Had received estimate for 1760 with abstract of accounts for 1758, for comparison, with approbation, for settling the evacuated and other lands in Nova Scotia. Shall be guided by a comparison of the respective expenditures for 1758 and 1760; the only excessive exceeding appears to be that for provisions at Lunenburg, which was unavoidable. The deplorable situation of the settlers there is now improving, and he hopes they will make amends for the support they have received. Is happy at the approbation given to his conduct and that of the Council in the settlement of the evacuated lands. The first settlers have arrived at Liverpool (N.S.) bringing live stock and 13 fishing schooners, now employed on the Banks; the people on shore are preparing houses for their families and had erected three saw-mills on a fine river, which flows through the settlement; its banks form a fertile valley, abounding with oak and white pine, which can be cultivated with one-tenth of the labour required at Lunenburg; the harbour is safe and commodious for vessels of 400 tons and upwards, so that the people have the prospect of carrying on at once agriculture, lumbering and fishing, besides having discovered marsh land sufficient for the support of their present stock. Has received flattering accounts from Morris of the settlers at Horton, Cornwallis and Falmouth. Explains why he was

1760. unable to send exact details of the damage caused by the storms of last fall. Had forwarded the address of the Assembly on the subject, and directed Morris, the Surveyor General, to examine and report, so as to obtain evidence to lay before Parliament, should an additional charge be necessary. Intended himself also to go to examine into the state of affairs. The change at Quebec has made an alteration in military matters; the peaceable state of the Indians and the report that the siege of Quebec has been raised leads to hope he may be at liberty to take his tour. Respecting the quantities of land granted to the settlers at Annapolis. The extent of the help to repair the dykes and give assistance to the settlers, was to help the most needy to transport themselves to the country and to prevent the sale of their stock to meet the cost of their passage; this indulgence would be of exceeding service in accelerating the progress of the country. The question of granting additional lands to make up for the damage to the marshes; the difficulty of making such grants; will endeavour to satisfy the people and effect the establishment of the colony in such manner as to please their Lordships. Sends documents, including laws, treaty with the Indians, &c.

L. 1, B. T. N. S. vol. 1

Treaty of peace and friendship, concluded with the delegates of the St. John and Passamaquody Indians at Halifax, February, 1760. L. 2

Record of the Court of Office, held for escheats and forfeitures at Halifax, 21st April, 1760. The trial was on account of the non-fulfilment of conditions in respect to a grant of land to Philipps and others on the south side of Chignecto. L. 3

Record of the trial of John Ludowick Bayard and Martha Orpen, 27th May. L. 4

June 23, London. Memorial of Robert Grant for relief against an action in Nova Scotia for the payment of duties on rum, imported for the navy. L. 6

June 24 Halifax. Breynton to S. P. G. Application made by Lawrence for an itinerant missionary. Want of ministers of any kind in the townships. He (Breynton) would have accompanied the Governor in his progress but Wood having lost his voice, could not take the duty.

Lambeth MSS. 1324—1 fo. 118

July 24, Halifax. Lawrence to Lords of Trade. The settlements go on well, and has no reason to apprehend a check, as affairs in Quebec have had a happy event. Has just returned from Liverpool and Lunenburg with much satisfaction. Is preparing to visit the townships of Minas and Piziquid and the country round them. L. 5, B. T. N. S. vol. 1

September 1, Halifax. Same to the same. Remarks on Grant's memorial in relation to his seat at the Council. They are very acrimonious, the closing paragraph being: "His Majesty's Council think in general so unworthily of Mr. "Grant that it would mortify them extremely to do any business with "him either in Council or out of it." L. 7

October 15, Lunenberg. Moreau to S. P. G. Dominick Dulaurier has publicly abjured the errors of the Church of Rome and received the sacrament with about 100 other communicants. He (Moreau) has received no answer to the memorial to the Governor and Council and to the Assembly for the finishing of the church, which is open to the weather, causing great suffering. Arrival of 200 Scotch Highlanders as a garrison, to whom he will preach in English once a fortnight. Baptized 57 children, married 17 couples, and buried 11 persons in the preceding year.

Lambeth, MSS., 1124—1 fo. 154

October 19, Halifax. Benjamin Green to the Lords of Trade. Death of Lawrence, the previous night (18th). Sends account of the expense of the civil establishment (the abstract is marked L. 9, see also L. 14), with estimate for 1791. His late avocations, sudden sickness and death had prevented

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Lawrence from perfecting them. Expects to sail soon and will bring with him the accounts and vouchers. L. 12, B. T. N. S. vol. 18

Enclosed. Estimate for 1761. L. 13

Abstract of civil establishment. L. 14

(A duplicate of L. 9.)

ober 26, ifax. Belcher to Lords of Trade. Death of Lawrence on the 19th (see Green 19th, who says the 18th, which seems to be correct as the letter was written next day). Sends estimate for 1761, approved of by the late Governor, and the state of the civil establishment. The intimate knowledge of Bulkeley, the Secretary, will enable him (Belcher) to lay speedily before their Lordships the present state of the Province and the proposals for its advancement, which he would closely adhere to. L. 8

Abstract of the state of the civil establishment in 1759. L. 9

(This and L. 14 are duplicate).

Estimate for 1761. L. 10

(Only the title, the estimate is marked L. 13; see also 13th January, 1761).

ober 26, ifax. Breynton to S. P. G. Reports his visit to East and West Falmouth, Horton and Cornwallis. Death of Governor Lawrence.

Lambeth MSS. 1124—1, fo. 148

(The society granted £10 for the expenses of the above visit. fo. 148).

vember 12, ndon. Sir Mathew Lamb to Lords of Trade. Sees no objection in point of law to the bills passed in Nova Scotia (titles given).

L. 11, B. T. N. S. vol. 18

vember 18, lifax. Gerrish to Belcher. Had been authorized by Lawrence to establish truck houses; the sums of £450 and £500 were advanced; the rest of the supply to be obtained on credit. Sends account of expenditure and returns, showing due to him £2,000 currency, about £1,900 sterling. Asks that application on the subject be made to the Lords of Trade.

L. 22

Invoice of goods wanted for the Indians next year. L. 23

Other accounts. L. 24 to L. 26

ember 12, lifax. Belcher to Lords of Trade. Had summoned the Council on the death of Lawrence and issued the usual proclamations. Prosperous state of the townships of Horton, Cornwallis and Falmouth, which had been protected against the attacks of Indians and Acadians, the fate of Canada being then undecided. Reports of their crops of hay and repairs to the dykes; the road has been finished from Halifax to the settlements, beginning at Fort Sackville. Most of the inhabitants are rich; the poorer are provided for. The prosperous state of Liverpool. The settlers at work for next year in Annapolis, Granville, Chester and Dublin. The obstacles thrown in the way of settlement, but the peace will stop these. Attention called to the necessity of providing funds for the Indian trade. Reinforcements sent by Amherst; detachments from these have been sent to the outposts. The thriving condition of Lunenburg. Calls attention again to the case of Mary Webb, convicted of murder in 1759. Recommends Capt. Taggart and sends copies of the laws passed last session. L. 17

Abstract of expenses for 1760. L. 18

State of the new settlements. L. 19

Cost of repairing dykes; estimate for the transportation of settlers from the continent. L. 20

Capt. Taggart's account for transporting inhabitants, stock, &c., into the Province. L. 21

(Extract relating to the case of Mary Webb, sent to the Secretary of State on the 11th February, 1761, A. & W. I. vol. 597).

cember 12, itehall. Lords of Trade to Belcher. Report of the death of Lawrence received; had no doubt that he (Belcher) would adhere to Lawrence's measures

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for the establishment and prosperity of the Province. Point out objections to some of the laws passed by the first Assembly, so that a report of the circumstances may be sent before their lordships advise either confirmation or disallowance. The objections are stated to the various bills; No. 2, "For the better discovering and suppressing unlicensed "houses;" No. 4. "For confirming the title of lands and quieting pos- "sessions;" No. 5, "For putting in force several Resolutions of the "Governor and Council;" No. 8, "For directing the proceedings against "forceable entry or detainer;" No. 13, "For establishing the rate of "Spanish dollars"; No. 24, "Concerning marriage and divorce." In their general remarks their Lordships observe that most of the laws when they differ from those of England are taken from those of Massachusetts and that the Royal approbation of these might be taken as a precedent, but point out that "many of them were passed in the very infancy "of the Charter, when the administration of Government here at home "was too well employed in settling the principles upon which the pre- "sent happy constitution of this country rests, to attend to the lesser, "tho' important Consideration of what might be the principles of Colony "Constitution and Government." B. T. N. S. vol. 37, p. 1

December —, Halifax. Belcher to Lords of Trade. Sends duplicates of his dispatches. Loss of the Provincial brigantine "Montague" in the river Canard. Will it be necessary to keep up the same number of vessels? The expense could be better employed. Asks for instructions as to the prevention of infectious disease, in consequence of the arrival of a vessel with small-pox on board; a bill on the subject had been prepared but rejected by the Assembly; his want of power; the measures he is taking to keep off such vessels. L. 29, B. T. N. S. vol. 18

1761. The proposed Act. L. 39

January 12, Treasury. Treasury to Lords of Trade. For estimate of the expense for the settlement of Nova Scotia, to be laid before Parliament. L. 13

January 12, London. Sir Matthew Lamb reports that he sees no objection in point of law to the Acts passed in Nova Scotia last session. L. 37

January 13. Estimate of the charge for supporting and maintaining the settlement of Nova Scotia. B. T. N. S. vol. 37, p. 16

January 14. Memorial (undated) of Robert Sanderson, late speaker of the Assembly of Nova Scotia, respecting grievances and abuses in the administration of the Government of Nova Scotia. (Read by the Lords of Trade on the date in margin). L. 16, B. T. N. S. vol. 18

January 15, Whitehall. Lords of Trade to Sanderson to attend their Lordships in support of his memorial. B. T. N. S. vol. 37, p. 17

January 23, Whitehall. Same to Charles Hay and others, desiring them to appear in support of Sanderson's memorial. 18

On the 27th the meeting was postponed on account of the death of the eldest daughter of Lord Halifax. 19

On the 5th February another day was fixed. 20

February 11, Whitehall. Lords of Trade to Secretary of State (Pitt). Send extract of letter from Belcher respecting the case of Mary Webb, sentenced to death for the murder of her child, but respited. 21

(Duplicate and extract from Belcher's letter of 12th December in A. & W. I. vol. 597, p. 172.)

February 11. Report of the agent and treasurer of Nova Scotia and the captain of the snow "Halifax" in the Provincial service, that the vessel should be sold at Cork, to avoid the delay and risk involved in sending her to London for sale. L. 27, B. T. N. S. vol. 18

February 17, Whitehall. Lords of Trade to Secretary of State (Pitt). Have prepared a warrant for continuing Morris as agent for Newfoundland, Cape Breton and Nova Scotia. A. & W. I. vol. 600

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February 24. Note by McNutt of proposals for making further settlements in Nova Scotia. L. 28, B. T. N. S. vol. 18

March 3, Whitehall. Lords of Trade to Belcher. Dispatch of 12th December with enclosures received. Owing to complaints of mismanagement against Lawrence, transmit instructions to enable him to execute, agreeably to his own wishes and the expectation of the public, the trust devolved on him. The charges against Lawrence were that he encouraged and protected the disorderly part of the military; that he had been implicated in abuses respecting contracts; that he granted lands contrary to his instructions. These are discussed at length and rules laid down, so that even suspicion may be prevented. The value of the lands to be settled, the reductions to be made in the estimates for reasons given. Abuses in the management of the Orphan house and the inordinate expense for superintending the children. The abuses in respect to the Indian trade in which Lawrence is charged with being engaged; no public money should be expended on the trade, but rules should be made for its regulation. The letter concludes: "The whole of that we desire may be referred to "these two heads; to restrain with the strictest vigilance all excesses "of the military, and to use the exactest economy in the application of "public money." B. T. N. S. vol. 37, p. 23

March 4. Answer by Benjamin Green to the charges made against him by Sanderson. L. 31, B. T. N. S. vol. 18
(For charges see 14th January, marked L. 16.)

March 5, Whitehall. Report by Lords of Trade on McNutt's proposal to establish seven townships of 100,000 acres each by the introduction of colonists from the Northern parts of Ireland; recommend that his proposals be accepted and that the Governor of Nova Scotia be authorized to grant lands on the terms therein set forth. B. T. N. S. vol. 37, p. 59
(For proposals see 24th February, marked L. 28.)

March 10, Whitehall. Lords of Trade to Belcher. To obtain repayment of money advanced by Lawrence, on the request of the Council and House of Representatives for bounties for the encouragement of cultivation and the fishery. B. T. N. S. vol. 37, p. 65

March 11, Whitehall. Same to the King. Recommend that Belcher be confirmed in the office of Chief Justice for Nova Scotia. 67

March 12, Whitehall. Same to Belcher. The necessity for measures to prevent the spread of infectious disease; cannot understand the motive which led the House of Representatives to reject the bill. He is again to recommend the measure strongly. 68

March 17, Whitehall. Same to the King. Recommend that Henry Ellis, now Governor of Georgia, be appointed Governor of Nova Scotia in room of Lawrence, deceased, and that James Wright, Lieut.-Governor of Georgia, succeed Ellis as Governor. 70

March 18, Louisbourg. Edward Whitmore to Lords of Trade. Had issued proclamation of the accession of George III, and published the other arrangements consequent thereon. L. 54, B. T. N. S. vol. 18

March 20, St. James's. Order in Council appointing Henry Ellis to succeed Lawrence as Governor of Nova Scotia. L. 32
On the same day, Belcher was appointed Lieut.-Governor. L. 33
On the 17th he had been confirmed in the office of Chief Justice. L. 34

March 21, Cork. Account sale of the snow "Halifax." L. 35

March 31, London. Society for the Propagation of the Gospel to Lords of Trade. Send extract from letter from Moreau, their missionary at Lunenburg, calling attention to the unfinished and exposed state of the church there. L. 36

April 1, Whitehall. Lords of Trade to the King. Send proposed commission to Ellis to be Governor of Nova Scotia. B. T. N. S. vol. 37, p. 72

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(The commission is at p. 108.)

On the same day proposed commission was forwarded for Belcher to be Lieut.-Governor. B. T. N. S. vol. 37, p. 73

Commission follows. 74

Warrant to Belcher to be Chief Justice. 77

Commission follows, 78

April 9, Halifax. Belcher to Lords of Trade. Manach, a French missionary, has been exciting the Indians and Acadians to rebellion; has had him apprehended and sent on board H.M.S. "Fowey," to be delivered to their Lordships for disposal. L. 55. B. T. N. S. vol. 15

(Copy sent to Secretary of State on 6th July. A. & W.I. vol. 597).

April 10, Halifax. Belcher to Lords of Trade. Duplicates, &c., received, including notice of the death of George II, with proclamations and other documents relating to the accession of George III, on which he had acted. Writs have been issued for a new Assembly, dissolved by demise of the Crown; copies sent of the returns. Account transmitted of the proceedings regarding the settlements, since his last report. Note of the expense has been transmitted; a considerable sum remained due at the death of the late Governor, which can only be discharged by a further grant from Parliament. The means he has taken to reduce expenses. Has purchased a vessel in room of the "Montague," lost in the Bay of Fundy. Sends as good an account of the financial position as can be made without the Treasury books, &c. The debt incurred by the Indian trade; measures for its management and control; the result of the trade has been the continuance of peace. Has sent vouchers for expenditure in discharge of debts on the establishment and for contingencies; remarks on the items. The want of a quorum of Council led him to appoint Alexander Grant, subject to approval. Shall send proposals for reducing the expense in the service; has appointed two persons at the one salary allowed for midwifery, the office being vacant by the absence of Mrs. Catherwood. L. 38, B. T. N. S. vol. 15

April 14, Halifax. Same to the same. The danger from the presence of Acadians, about 1,540, who with Indians, have not yet submitted and are fitting out armed vessels to cruise on the trading vessels. Sends opinion of the Council on the method to be followed with them. L. 43

The report of the Council states the danger of settling the Acadians by themselves, or near the frontiers; it recommends that they should be settled in the townships between Halifax and Annapolis, where they would be least capable of mischief. These would not accommodate all and those removed would require the assistance of Government for two or three years. L. 44

(The numbers given in the report are:—

At Ristigouche, Miramichi, &c., 220 families, 1,300 persons.

At Chignecto, 60 families, 240 persons.

At Halifax, 90 families, 440 persons.

Copies were sent to Secretary of State on the 19th June, in A. & W. I. vol. 597, pp. 178, 180).

April 14, Whitehall. Lords of Trade to Belcher. To recommend the Council and House of Representatives to grant money to repair the church at Lunenburg, used by the missionary of the Society for the Propagation of the Gospel. If they refuse, the repairs are to be made and charged to the services provided for by Parliament for the settlement of Nova Scotia. B. T. N. S. vol. 37, p. 81

April 15, Whitehall. Recommendation by Lords of Trade for disallowance of "An Act to prevent the importing disabled, infirm and other useless persons into the Province" (Nova Scotia). 82

April 15, Halifax. Belcher to Amherst. The hostile designs of the Acadians at Ristigouche and neighbouring ports in fitting out piratical vessels to cruise

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against His Majesty's subjects. Is apprehensive for the safety of the settlements to be established at Chignecto, as the Acadians have induced the Indians to refuse to make peace and are forming desperate designs. Not one of the Acadians has ever made a voluntary submission, that has only been done through the influence of want or terror. At the village of St. Anne, (Fredericton?) there are forty who have made no submission, being subsisted by the Indians. Other reasons for apprehension respecting the settlement at Chignecto, as in event of an attack the loss of two or three lives would drive away the settlers.

Col. Cor. N. S. vol. 1, p. 47

(A copy was sent to the Secretary of State on 19th June. A. & W. I. vol. 597, p. 184. Another copy is marked L. 52 in B. T. N. S. vol. 18.)

April 16, Halifax. Belcher to Lords of Trade. Further respecting the Indian Trade; sends copies of documents relating to it. Had appointed Grant to be contractor for the supply of goods to the truck houses for one year, so that the contract might be terminated if disapproved of. His reasons for rejecting other proposals. L. 45, B. T. N. S. vol. 18

Enclosed. Grant to Belcher. Respecting the goods for the Indian trade now on hand and his proposals for contract. L. 46

Offer by Michael Francklin for the contract. L. 47

Report by the committee that Francklin's offer is the cheapest. L. 48

Articles of agreement with Grant. L. 49

Bond for fulfilment of contract. L. 50

April 17, Halifax. Belcher to Lords of Trade. In accordance with the desire of the Council, he had written to Amherst to take measures for the protection of Nova Scotia against the malignant designs avowed by the Acadians on His Majesty's subjects. Sends copy of the letter which contains the full state of the facts. (See 15th April). The Acadians who were expelled and termed "prisoners in New England" by Vaudreuil, when he desired in the capitulation that they should be restored to Nova Scotia, a proposal rejected by Amherst, had not so openly defied His Majesty's authority as those at Restigouche and Miramichi. L. 51

(For enclosure see 15th April. Copy sent to Secretary of State on 19th June, A. & W. I. vol. 597).

April 21, Whitehall. Recommendation by Lords of Trade to disallow the Act to enable proprietors to divide lands held in common. B. T. N. S. vol. 37, p. 88

April 21, Whitehall. Lords of Trade to Belcher. Objections to Acts passed in 1759. Have recommended disallowance of "Act enabling proprietors to divide lands held in common" and "Act for preventing the importation of disabled, infirm and useless persons." The "Act for preventing private trade with Indians," is an improper and unreasonable restraint upon trade. Their Lordships entirely disapprove of raising by lottery money for public purposes. 84

May 8, Whitehall. Same to the same. Send Orders in Council for the disallowance of Acts mentioned. 92

June 6, London. Sir Matthew Lamb reports that the laws (titles given) passed by the Legislature of Nova Scotia are not objectionable in point of law.

L. 53, B. T. N. S. vol. 18

June 19, Whitehall. Lords of Trade to Secretary of State (Pitt). Have received letters from Belcher, dated 14th and 17th April, representing the danger to Nova Scotia from the numbers of French Acadians still remaining in the Province, who, with the Indians, are fitting out armed vessels to cruise on the coast. They also send the opinion of the Council on the danger from this cause and the possibility of distributing the Acadians in different parts of the Province, and a copy of the application made to Amherst.

B. T. N. S. vol. 37, p. 93

(The enclosures; Belcher to Lords of Trade and report of the Council, both dated 14th April, Belcher to Amherst, 15th April, and to Lords

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of Trade, 17th April, are calendared at their respective dates. Copies of letter and enclosures are also in A. & W. I. vol. 597, beginning at p. 176).

June 23, Whitehall. Lords of Trade to the King. Recommend that Alexander Grant, Edmund Crawley, Henry Newton and Michael Francklin be appointed to complete the number of the Council for Nova Scotia.

B. T. N. S. vol. 37, p. 36

On the same date, the disallowance of Acts relating to the Indian trade, and that to enable proprietors of lands held in common was recommended. 103, 106

(For the last mentioned Act, disallowance was recommended on the 21st April).

June 23, Whitehall. Lords of Trade to Belcher. April dispatches received. They had already sent instructions respecting settlers and the Indian trade, and regret he had not waited for answer to inquiries sent by Taggart before taking measures on these subjects. Hope, however, that the letters will arrive in time to prevent the plan of unlimited expense for the introduction of settlers and to put an end to the contract for the supply of Indian goods. Shall recommend the disallowance of the Act respecting the Indian trade; how it could be regulated without inconvenience. Have transmitted to the Secretary of State the papers relating to the Acadians. B. T. N. S. vol. 37, p. 37

July 6, Whitehall. Pownall (for Lords of Trade) to Robert Wood (under Secretary of State). Sends copy of letter from Belcher that one Manach, a French priest, having behaved insolently and incited the savages and Acadians to disaffection, had been apprehended and sent off in the "Fowey" man-of-war. Asks that orders be given for the disposal of Manach. 140

(The enclosure from Belcher, 9th April, is calendared at its date. Copies are in A. & W. I. vol. 597).

July 7, Whitehall. Wood to Lords of Trade. The Secretary of State (Pitt) is of opinion that Manach should be sent to France with the other prisoners.

L. 56, B. T. N. S. vol. 1

July 24, Treasury. Treasury to Lords of Trade. Send Baker's explanation of the transaction respecting the cattle of the French inhabitants of Nova Scotia.

Baker's letter (attached) states that the cattle were used for victualling the troops in the neighbourhood of the forfeited cattle and that an equal quantity was delivered at Halifax, of all which an audited account was sent to the Lords of Trade. L. 57

Answer by Saul, late commissary of stores, &c., to the complaints against him. An explanation respecting the cattle forfeited by the Acadians, as in Baker's letter and of other charges made by Sanderson. (See article 15 of Sanderson's memorial, 14th January). L. 58

September 7, Whitehall. Lords of Trade to Belcher, with Orders in Council disallowing Acts.

B. T. N. S. vol. 37, p. 142

October 20. Halifax. Belcher to Lords of Trade. Dispatches received, which he shall answer by one of His Majesty's ships. Sends only estimate for 1762 by this conveyance. L. 59, B. T. N. S. vol. 18

Estimate for 1762. L. 60

November 3, Halifax. Belcher to Lords of Trade. Will obey, so far as possible, the instructions received. Regrets that their Lordships think he has entered too extensively and expensively into the measure for new settlements and refers to letter of 12th December, 1760, from their Lordships, approving of his resolution to carry out Lawrence's plans; explains the reasons for incurring the expense of transportation for the first three townships. Shall endeavour to confine the expenditure within the amount granted. Many of the original contractors (grantees) had transported themselves to their lands at their own expense, and it may be expected that the rest will follow the example. Onslow and Truro, in the district of

1761. Cobequid, Cumberland, in Chignecto, Annapolis Royal and Grenville, have been settled this summer with 150 families. The dykes at Horton have been repaired by the town; those at Truro and Onslow are repairing by the same means; about 150 acres in Onslow and double that in Truro are enclosed and fit for cultivation. Bonds have been taken for the repayment of provisions to the settlers. Sends three maps of the places actually settled, of those where settlements are speedily expected and of lands on the River St. John. (Maps are in vols. 9 and 43 of Board of Trade maps; vol. 9 contains two copies, Nos. 6 and 7, but the second is a copy of the first, with some details omitted; in vol. 43 are Nos. 23 and 24). The example of McNutt, just arrived, will stimulate settlement; he has brought 200 persons from Londonderry and other parts of the north of Ireland. Assistance to be given to McNutt by Vance and Caldwell, of Londonderry, towards sending out several thousand settlers without expense to Government. McNutt is now on a tour to examine the lands. The industrious character of the settlers he has introduced. The measures he is taking to reduce the expenditure and hopes to effect a saving of £3,000 between June and January. Remarks on the Orphan house, on the trade with the Indians, &c. The Assembly has amended laws objected to; had himself objected to the plan of a lottery for building a market house. Shall obey orders for the repair of the church at Lunenburg; sends return of German children in want of proper instructions. L. 62, B. T. N. S. vol. 18

Enclosed. Memorial of Vance and Caldwell referred to in letter. L. 63

Report on the state of the Orphan house from 1752 to 1761. (The names of the children are given). L. 64

Return of expense of Orphan house for 1760. L. 65

Act to amend the Act for the limitation of actions and for avoiding suits at law. L. 66

(The original Act was passed in 1758 and is in the printed collection in which the amending Act does not appear.)

List of Acts passed from 1st July to 15th August. L. 67

December 16, Treasury. Treasury to Lords of Trade. To prepare an estimate for Nova Scotia, to be laid before Parliament. L. 61

December 22, Whitehall. Estimate of the civil expenditure of Nova Scotia for 1762. B. T. N. S. vol. 37, p. 144

1762. January 9, Halifax. Belcher to Lords of Trade. Subscription for an organ for St. Paul's Church at Halifax, to be added to the amount of the sum formerly subscribed and placed in the hands of the agent of the congregation for the purchase of the organ. L. 79, B. T. N. S. vol. 18

Enclosed. Certificate that the sum of £105, raised toward erecting an organ in St. Paul's Church, was delivered by the late Rev. Dr. Tutty to Hugh Davidson, secretary of the Province, and by him used for the public service. L. 80

January 9. Halifax. Belcher to Secretary of State (Egremont). A considerable body of Acadians has withdrawn from allegiance and retired North to the Gulph of St. Lawrence. These people have taken up arms and by means of small vessels are infesting the navigation of the river and committing depredations on His Majesty's subjects. Had equipped two small vessels to check the mischief, putting on board troops under command of Capt. Roderick Mackenzie, who had surprised the Acadians and taken 787 souls prisoners, of whom 335 were brought off, as many as could be carried at that season; the rest made submission and promised to come in when it shall be thought proper. Success due to secret arrangements of Mackenzie, otherwise they would have retired to the woods and the plan have miscarried. There are many other Acadians in the Province,

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watching an opportunity to obtain assistance from the French, or to stir up the Indians, so as to distress the new settlements; for this reason they cannot again with safety, become inhabitants of the Province. Sends documents relating to the brigantine "Polly," carrying on illicit trade with the enemy. Col. Cor. N. S. vol. 1, p. 1

Enclosed. Copies of two letters exhibited at the trial of the "Polly," engaged in illicit trade. 5, 7

January 11, Halifax. Breynton to S. P. G. Complains he has had neither letter nor abstract since April, 1758. Calls attention to his extra services in 1760 and 1761, which entitle him to a gratuity. Buchanan dismissed from his office of schoolmaster. The Church of England flourishing; St. Paul's is almost finished and is well frequented; subscriptions given, even by dissenters, for the erection of an organ. Lambeth MSS. 1124–2. fo. 42.

January 11, Halifax. Belcher to Lords of Trade. Had received commission as Lieut.-Governor and Chief Justice. Had examined the charges against the late administration and found there was no evidence to support them. The charges against members of Government considered in detail. Respecting doubtful grants; had increased the extent of the common at Halifax by 17 and ¾ acres, so that it is now 257 and ¾ acres; sends plan. Part of the common may be required for fortifications. Meeting of Assembly called, but the members did not attend for the purpose of defeating the proposal for opening the Indian trade to private enterprise, the author of the plan, which is for his own private benefit, being a member of Council. Narrative of the proceedings, to show that the public good was made subordinate to private interest; with this exception the Province has been quiet. Surrender of Acadians to Mackenzie. (As in letter of 9th). Sends report of the settled townships in the Province with maps and plans. (These appear to be duplicates of those sent on 3rd November, 1761, of which only the one numbered 7 in vol. 9 of Board of Trade maps has been preserved). The peace of the Province from the quiet disposition of the Indians. Sends return by Rev. M. Vincent of the number of German children (596) under 12 years of age; how the money voted for their education has been applied. Had requested the Society for the Propagation of the Gospel for the allowance for a missionary to be paid to Vincent as the minister and schoolmaster to the Germans. Had received and acted on *mandamus* to receive Alexander Grant, Edmund Crawley and Henry Newton to be members of Council. Respecting estimates and accounts of expenditure for the Province.

L. 68, B. T. N. S. vol. 1

Enclosed. Descriptive state of the new settlements in Nova Scotia. L. 70

Account of the lands, called the commons, near the town of Halifax. L. 71

State of the measures pursued by some members of the Assembly to prevent its meeting between the 17th and 30th November, 1761. L. 72

Return of births and burials at Halifax 1761. Births, 150; deaths, 80. L. 73

Return of children under twelve years of age in the township of Lunenburg. The numbers at each place in the township are given. L. 74

Objections by Edmund Crawley, to the Act, as it applies to the Colonies, for granting a bounty to whale fishing, dated 9th January, 1762. L. 75

Ceremonials at concluding a peace with the several districts of the general Micmac nation of Indians in Nova Scotia, with copy of treaty. L. 76

Abstract of the state of the civil establishment for 1760. L. 77

Estimate of stationery required for 1762. L. 78

1762.
January 11, Halifax. Belcher to Lords of Trade. Sends the original law of Bermuda for preventing contagious diseases. Asks for directions in regard to the interpretation of the clause in the patents for granting lands in the Province, which provides against alienation by the grantees without the license of the Governor or Commander-in-Chief. L. 81, B. T. N. S. vol. 28

January 14, Halifax. Belcher to S. P. G. The respect in which the Church of England is held; The General Assembly though chiefly composed of dissenters, has passed a law to establish it and voted £1,200 for finishing St. Paul's. Want of ministers for the new townships; recommends that a missionary be appointed for Horton and that a place of worship be built there, of which dissenters may have use. Has appointed Vincent to be English minister and schoolmaster at Lunenburg, but the amount allowed is not sufficient, asks therefore, that he be appointed the Society's missionary and schoolmaster. The church of Halifax has not yet received the usual bounty of plate, books and church ornaments; the good qualities of Breynton. Lambeth MSS. 1124—2 fo. 41

A minute follows of the appointment of Vincent to be missionary at Lunenburg, in room of Bennett, appointed to Horton, Falmouth, Newport and Cornwallis. fo. 41*a*

January 18, Halifax. Belcher to Lords of Trade. Has received intimation of the disallowance of three Acts. L. 82, B. T. N. S. vol. 18

March 10, Whitehall. Lords of Trade to Treasury. Respecting the proposed fishery on the eastern coast of Nova Scotia and the application for liberty to carry salt from Europe for its use. B. T. N. S. vol. 37, p. 145

March 16. Memorial of McNutt, for assistance to obtain transports for settlers to be sent to Nova Scotia and for certain (specified) privileges and encouragements to settlers. L. 83, B. T. N. S. vol. 18

March 17, London. Commissioners of Customs to Lords of Trade. They see no objection to extend to Nova Scotia the liberty of importing salt from Europe. L. 84

March 30. Audit of the public accounts of Nova Scotia for 1760 and part of 1761. L. 85

March 31, Halifax. Belcher to Secretary of State. (Egremont). Had received intimation of the King's marriage and coronation, and of his (Egremont's) appointment. Sends memorial for the respite of a soldier convicted of murder and certified copy of the proceedings at the trial. Col. Cor. N. S. vol. 1, p. 10

Enclosed. Certified copy of the record of the trial, signed by Gibbons junior, preceded by certificate of his being clerk of the Court. 12, 13

Memorial. 15

March 31, Halifax. Belcher to Lords of Trade. Had represented the cause of members absenting themselves; had prorogued to the 17th instant, when the Assembly met, and are carrying on the public business. Sends account of appropriations and surrender of lands in Margaret's Bay. Forfeited lands thrown open to settlement. Accounts of expenditure sent, with remarks. Respecting the case of a soldier convicted of murder and reprieved and of that of Mary Webb, to which attention is again called. L. 88, B. T. N. S. vol. 19

Enclosed. Business under consideration of the Assembly. It includes the Governor's speech, addresses by Council and Assembly, replies; message from the Lieut.-Governor respecting the Indians. L. 89

Proclamation for settling lands forfeited from non-fulfilment of conditions. L. 90

Report of the trial of William Reach, soldier. L. 91

Memorial on behalf of Reach. L. 92

April 6. Act for importing salt from Europe into Nova Scotia. B. T. N. S. vol. 37. p. 147

1762.
April 8, Whitehall. Lords of Trade to Belcher. Dispatches received, of which a list is given; they have been taken into consideration. B. T. N. S. vol. 37, p. 15

April 8, Whitehall. Same to the King. Have examined McNutt on his report on the state of the settlements and find that in 1760, he had shipped 300 persons from the north of Ireland to Nova Scotia, a committee of whom went to examine the reserved lands, the others were employed as day labourers at Halifax, reducing the wages from four shillings to two shillings a day. Satisfaction with the lands to be settled. McNutt's return to Ireland to obtain additional settlers. The wisdom and propriety of the plan adopted, which has been ably and faithfully executed by McNutt. The question of the large emigration from Ireland of His Majesty's most loyal and useful subjects should be seriously considered if McNutt's plans are to be largely extended and government help, or at least encouragement, asked for. If emigration to Nova Scotia is discouraged, the North of Ireland people are eager to go to the other American Colonies, and in this will be assisted by McNutt, should his present proposal fail. Their Lordships recommend that all McNutt's engagements should be confirmed and that grants should be made to the persons he has introduced, or may introduce under his new arrangements.
B. T. N. S. vol. 37, p. 153

April 20. Memorial of Sir Allan McLean for a grant of 200,000 acres on the St. John River, to enable him to plant a colony there.
L. 86, B. T. N. S. vol. 18

April 29, Whitehall. Order in Council respecting McNutt's proposal to obtain a large number of settlers from the North of Ireland for Nova Scotia; the danger to Ireland of withdrawing so many of the population. No lands to be granted in Nova Scotia to people from Ireland, except to those who have lived there or in another Colony for five years. L. 87

May 19, Whitehall. Lords of Trade to Committee of Council. Send proposed instructions to the governor of Nova Scotia not to grant land to any one who has not been a resident in one of the colonies for five years.
B. T. N. S. vol. 37, p. 161

Instructions follow. 162

May 24, London. Green, treasurer of Nova Scotia, to Lords of Trade. Requests that he may be allowed to deposit a sum of money in the Treasury at Halifax, to be paid to him in London, as no bills of exchange can be obtained at Halifax. L. 93, B. T. N. S. vol. 18

May 27, Whitehall. Lords of Trade to Secretary of State (Egremont). Remind him of the application on behalf of Mary Webb, condemned to death but respited, and enclosing letter on the same subject from Belcher.
B. T. N. S. vol. 37, p. 164

(For previous letter see 11th February, 1761. Belcher's letter is dated 31st March, 1762. Duplicates of letter and enclosure are in Col. Cor. N. S. vol. 1, pp. 18, 19).

May 28, Whitehall. Lords of Trade to the King. Report on the Act of Nova Scotia for establishing the rate of Spanish dollars. Remarks on the terms of the Act, showing the material objections to its becoming law and recommending its disallowance. B. T. N. S. vol. 37, p. 165

June 10, Whitehall. Same to Belcher. Dispatches received; hope that the Assembly will deliberate and conclude on his recommendations with unanimity. He will receive Order in Council annulling the act relating to Spanish dollars; that respecting the protection from foreign debts expires by its own limitation. Their Lordships approve of his inviting settlers for the forfeited lots, but regret that the expense incurred by his predecessor should have so far exceeded what was allowed. The difficulty this will cause in Parliament, which has hitherto been so liberal; strict economy urged, though this has been observed by him (Belcher) to their Lord-

ships' satisfaction. Had laid the case of Mary Webb before the King and he would, no doubt, hear respecting it, and that of the reprieved soldier. Send copies of Act to allow the importation into Nova Scotia of salt from any foreign European port. B. T. N. S. vol. 37, p. 169

Belcher to Secretary of State (Egremont). Had received and published proclamation of war with Spain; will prevent provisions, ammunition or stores from being carried to the enemy. Sends address of the Assembly on the King's marriage. Col. Cor. N. S. vol 1, p. 20

Minutes of the Council of Nova Scotia, from 19th November, 1761, to the date in the margin, relative to the granting of lands. The names of applicants are given. L. 140, B. T. N. S. vol. 19

Belcher to Lords of Trade. Dispatches with instructions received. Until the arrival of Ellis shall pay obedience to the orders. Had also received instructions respecting the appointment of judges and the encroachments on the rights of the Indians, into the latter of which he had inquired and issued a proclamation, an investigation of complaints by the Indians having been made. Applies for the removal of Acadians, who are trying to incite the Indians to acts of hostility. The weak state of the regular force made it necessary to call out the militia; sends returns. Sends copy of bill from the Assembly for regulating the Indian trade, to which he had withheld his assent, as he had also done in regard to a bill to legalize the marriage of Joseph Fairbank. The disposition of the Assembly in respect to private debtors retards the business. Arrival of settlers with effects. Proposal received from Massachusetts to settle the boundaries of the Provinces. L. 94

Enclosed. Proclamation to prevent encroachments on Indian lands. L. 95

Return of the militia of Halifax. The name of the captain of each company is given. L. 96

Address from Lieut.-Governor to the Council and Assembly respecting the treaties of peace with the Indians. L. 97

Act for regulating the Indian trade. L. 98

Act for confirming the marriage of Joseph Fairbank. L. 99

Other documents relating to the Fairbank application. L. 100 to 102

Neither of these two Acts is among the printed statutes. A short Act was passed in the previous session, 2 Geo. III. cap. 3.

Report on the boundaries of Nova Scotia and Massachusetts, including the report of the Surveyor General and correspondence. L. 103

Colville to Belcher. In consequence of information from Brooks respecting the proceedings of the French at Newfoundland, he would have taken his ship there, but for the representation of the Council. Definite information being now received, he is absolved from his promise, and shall proceed to Newfoundland to protect His Majesty's interests. Col. Cor. N. S. vol. p. 27

Meeting of Council. The deposition of Brooks respecting the landing of the French at the Bay of Bulls and letter from Colville submitted; the Council, in view of the danger to the Province, desire that the "Northumberland," ship of war, be allowed to remain for the protection of the town, harbour, magazines, &c. 29

Belcher to Colville. Transmits resolution of Council and affidavit of Brooks respecting the intelligence from the Bay of Bulls. 31

(The paper which follows is not the affidavit of Brooks, but declaration by Capt. William Cockeran, which, with other papers, was enclosed in letter of 9th July, where it will be found).

Belcher to Lords of Trade. Capture of the island of Newfoundland by the French; is taking measures for the reception of the enemy. L. 104, B. T. N. S. vol. 19

1762.

(For the opinion of Amherst, &c., on this attack, see Canadian Archives series. Q. vol. 1, pp. 203, 204*a*, 213, 214, 216, 222; report of the recapture with articles of capitulation and names of officers killed and wounded, is at p. 223.

Enclosed. Report of Captain William Cockeran of the operations of the French at Newfoundland. L. 105, B. T. N. S. vol. 19

Resolution of Council asking Lord Colville to leave ships of war for the protection of Halifax (see meeting of Council 8th July).

Deposition of Henry Brooks respecting the attack on the Bay of Bulls. L. 107

July 9. Halifax. Belcher to Secretary of State (Egremont). Ships of war, supposed to belong to the enemy, seen off Newfoundland, reported on the 1st, report confirmed on the 7th; measures taken to resist attack. Report since received that St. John's is in possession of the enemy.

Col. Cor. N. S. vol. 1 p. 21

(The enclosures are the same as those in letter to the Lords of Trade of same date).

August 13. Halifax. Belcher to Amherst. Letters of 18th and 29th July received; had no doubt he (Amherst) had now such information of the relative strength of the enemy and of the Province as to lead him to approve of the precautions taken by Colville and the military commanders. The Council of War thought it necessary to strengthen the defences, although not entertaining needless apprehension. The regular troops are all that can be relied on; the unarmed and undisciplined state of the militia. Had applied to Governor Bernard to collect a further force. Colville gone with a fleet to Newfoundland; shall send any other man of war that may arrive to join him unless it be requisite to detain her for the defence of the Province. Would have been glad of his answer to letter of 18th July, respecting the Acadians. The opinions enclosed (see resolutions of Council and documents of various dates, enclosed to the Secretary of State, 20th October, 1761) will show the reasons for the removal of the Acadians, which he (Amherst), no doubt approves of, from the tone of his letters of 22nd March and 28th April, 1761. It is impossible to confine them on account of their numbers, which, added to that of the Indians and the weakness of any force to oppose them, makes the people of the new settlements fear for their own fate as well as for that of Halifax. The effect of an alarm from the enemy's ships, now that there is no ship of war to protect the harbour. Shall give orders to the transports to proceed to Boston and remain with the people on board, till the (Amherst's) decision be known. Col. Cor. N. S. vol. 1, p. 11

August 15. London. Sir Mathew Lamb. Report on Acts passed in Nova Scotia in 1761, to which there is no objection in point of law, except in the Act for granting divorce, there being no authority provided for carrying it into effect. L. 142, B. T. N. S. vol. 1

August 26. Amherst to Belcher. The Acadians, he thinks, might have been kept in proper subjection whilst the troops remained in Nova Scotia, but he is glad the measures for removing them were taken, as they might have become troublesome when the Province was drained of the forces. Shall write to Bernard to dispose of them as he thinks proper, taking care to separate them. Col. Cor. N. S. vol. 1, p. [illegible]

August 30. Halifax. Memorial from Alexander Hay and other officers, for land, on the 18th John Rover. L. 131, B. T. N. S. vol. [illegible]

September 7. Halifax. Belcher to Secretary of State (Egremont). Had received pardon for the soldier convicted of murder. Sends intelligence of the operations of the enemy at Newfoundland. Col. Cor. N. S. p. [illegible]

Enclosed. Copies of letters addressed to Capt. Douglas, of H.M.S. "Syren," from Walter Rose, commanding at St. John's. [illegible]

1762.

Nathaniel Brooks, a Magistrate at Ferryland, reporting the arrival of French ships. Col. Cor. N. S. vol. 1, p. 36

Deposition by James Brooks of the steps he took to communicate with Capt. Douglas of the "Syren," the capture and destruction of the Bay of Bulls &c., by the French. 37

(See also letters from Belcher of 9th July.)

ptember 7, lifax. Belcher to Lords of Trade. Measures taken for the defence of the Province and declaration of martial law, which was countermanded on more favourable news and the militia sent to their settlements after being paid for their services. New Militia Act proposed by the Council. The insufficient number of the regular troops; the militia employed to mount guard largely over the Acadians, who have now been sent Boston, until Amherst's orders shall be received. Naval and military movements for the recapture of Newfoundland. Uneasiness of the new settlers on account of the Indians and Acadians is removed by the steps taken to check hostilities. Loss of crops by the drought and grasshoppers. Arrival of new settlers. Sends chart of the coast of Cape Sable, Torchu and Cape Negro, drawn by Morris. (The chart is among the Board of Trade maps, vol. 9, No. 54). The inconvenience caused by the introduction of settlers by McNutt, without previous notice, and their settling on reserved lands. Proclamation prohibiting such settlements issued, but as these are desirable settlers, they have been allowed to remain on the land till the decision of their Lordships is known. The bad consequences of alienation without license; good effects of roads. Sends the public accounts. The saving on the death of Maitland; two persons appointed at £50 each, a saving of £50. No excess of expenditure for the Orphan house. Estimate for repairing and finishing the church at Lunenburg; only the necessary repairs to be made. Memorial from the Attorney General for an increase to his allowance. The course followed by the members of Assembly to continue the session. L. 108, B. T. N. S. vol. 19

Enclosed. Additional representation by the Council to Colville to leave a ship of war for the defence of Halifax. The deposition of Henry Brooks and correspondence with Colville are attached. L. 109

Councils of war (12 reports). L. 110

Belcher to Col. Denson. Owing to the well grounded apprehension of an attack by the Indians on Lunenburg, he is not to weaken his force by sending a detachment to Halifax from Lunenburg. Letters from Lunenburg on the situation of affairs there are attached. L. 111

Return of the regiment of militia for the County of Halifax. The names of the Colonel and of the captains of each company are given, with the number of officers, non-commissioned officers and privates L. 112

Address of the Assembly for the removal of the Acadians. L. 113

Message from the Lieut.-Governor to the Council and Assembly to examine into the wants and grant relief to the new settlers. L. 114

Answer by the Assembly that any balance remaining of the old duty money may be applied to relief. L. 115

Return of inhabitants and stock in the Township of Yarmouth, 21st June, 1762. The names of heads of families and number in each family are given. L. 116

The same for Barrington, 1st July, 1762. L. 117

The same for those settled between the two townships in June, 1762. L. 118

Abstract of the three returns. L. 119

Proclamation to prevent alienation of land without license. L. 120

Estimate for the civil establishment of Nova Scotia for 1763. L. 121

Abstract of the exceedings of the grant for 1760. L. 122

Return of children remaining in the Orphan house from 1st January to 30th June, 1762. L. 123

1762.

Estimate for repairing and finishing the church at Lunenburg. L. 124
Memorial from the Attorney General for increased allowance. L. 125
Address of the Assembly for leave to adjourn. L. 126
Gerrish to Belcher. Urges him not to call an Assembly hurriedly to pass an Indian law. L. 127
Bulkeley to Lieut.-Governor. Had informed Gerrish and Binney that they were not to act any longer in their employment under Government, on account of their withholding their attendance at the Assembly. L. 128
Remarks upon the conduct of the gentlemen dismissed from their employment for not attending in general assembly. L. 129

October 20, Halifax. Belcher to Secretary of State (Égremont). Has received pardon for Mary Webb. The conduct of the Acadians had rendered it necessary to represent the case to the Lords of Trade to Pitt and to him (Egremont). Sends copy of letter on the subject sent to Amherst, who had hoped for a reformation of their conduct. On the first report of the invasion of Newfoundland by the French, their insolence broke out afresh to the terror of the inhabitants. To protect the Province the Acadians were removed to Massachusetts, but they were refused permission to land and sent back with great precipitation. Lays before his Lordship the resolutions of the Council on the subject for his consideration how the province is to be freed from the attempts of the Acadians and Indians to distress the exposed settlements. The measures taken are represented in the minutes of Council. Col. Cor. N. S. vol. 1, p. 44

Enclosed. Belcher to Amherst, 15th April, 1761, calendared at its date.

Resolutions of the Council, 26th July, 1762, stating the conduct of the Acadians and the danger to the Province, recommending that they be collected and removed to Massachusetts. 50
Resolution of the Assembly to the same effect. 54
Council of war, held on the 10th July, on the measures that should be taken for the defence of the Province. 59
Other Councils with the same object on the 12th, 15th, 16th, 17th, 19th, 21st, 23rd and 30th July, and 10th, 15th and 17th August. 62 to 93
Message from the Governor of Massachusetts to the Council and Assembly of that Province, relative to the Acadians sent from Nova Scotia and the resolution of the two Houses that they should not be allowed to land, dated 16th September. 94
Report (18th October) of the committee of the Council of Nova Scotia appointed to inquire into the motives which occasioned the return from Boston of the transports with the Acadians. 98
Declaration (12th October) by James Brooks of what took place at Boston in relation to the Acadians sent there from Nova Scotia. 103
Extract from letter (14th August) from Belcher to Thomas Hancock to defray the expenses of the Acadians at Boston, charging the same to Nova Scotia, until Amherst's pleasure be known. 108
Belcher to Bernard, Governor of Massachusetts, (13th August) giving the reasons for sending the Acadians. 109
The same to Amherst (12th August). 111
Amherst to Belcher, (30th August). 118
(These two letters are calendared at their dates).
Bernard to Brooks (23rd September). The General Court will not permit the Acadians to land; he must conform thereto. 119
Hancock to the same (27th September). Has no orders respecting the Acadians, except to pay any expenses he (Brooks) might incur. Advises him to return with them to Halifax. 120

1762.
tober 21, alifax. Belcher to Lords of Trade. Sends laws enacted last session and other papers. Approval by Amherst of the measures taken for the defence of the Province and the removal of the Acadians who were precipitately returned by the Massachusetts Government, thus frustrating the object. Transmits resolution of the Council on the subject with the documents on which it was founded. Quotes the opinion of their Lordships on a previous occasion and further remarks on the danger of leaving the Acadians in the Province. Transmits the journals of the Council and Assembly and other documents. Reasons for refusing his assent to bills for imposing certain duties. L. 134, B. T. N. S. vol. 19

(The report of the Council enclosed covers the documents sent with letter to Secretary of State of the 20th).

Reserved bills for amending the Acts for duties on liquors L. 136 and L. 137 and relating to insolvent debtors L. 138.

(The two bills L. 136 and L. 137 are not among the printed statutes; L. 138 is 3 Geo. III. cap. 3).

tober 27, alifax. Wood to S. P. G. Letter received by Breynton, brought by Bennet, who arrived with Murray and Treadwell; they have gone to their missions. He (Wood) and Breynton are constantly employed; St. Paul's well filled. Are also holding services for the Germans. He (Wood) has visited the townships; a missionary might be usefully employed at Annapolis. Death of Abbé Maillard, French Missionary and Vicar General of Quebec; the day before his death, he (Wood) read the office for the visitation of the sick to him in French, but according to the form of the Church of England, in presence of all the French, whom Maillard had ordered to attend his funeral; the funeral service according to the form of the church of England read over the body. Lambeth MSS. 1124—2, fo. 120

tober 28, alifax. Belcher to Lords of Trade. Dispatches received with Act for admitting salt and disallowance of that respecting Spanish dollars; has published the Act relating to seamen and the repeal of the Act on Spanish dollars. Gives list of the contents of box sent by the "Minerva". L. 144, B. T. N. S. vol. 19

Enclosed. Proclamation of the repeal of the Act on Spanish dollars. L. 145

ovember 3, alifax. Bennett to S. P. G. His arrival; will set out for his mission next day (14th) asks for books. Lambeth, MSS. 1124—2, fo. 132*a*

ovember 12, alifax. Belcher to Lords of Trade. Is having duplicates prepared. Sends minutes of Council to 18th October. Monk, Solicitor General, makes application for consideration; he has been voted £50 by the Council; recommends that he should have an allowance on account of his services. L. 146, B. T. N. S. vol. 19

Enclosed. Letter and memorial of Monk to Lords of Trade and memorial to Lieut.-Governor in Council. L. 147, L. 148, L. 149

Minutes of Council to 18th October. L. 150

ecember 2, ondon. Memorial of Joshua Mauger attacking Belcher for incapacity and representing that from his unpopularity he ought to be removed. L. 130, B. T. N. S. vol. 19

ecember 3, Whitehall. Lords of Trade to———. There is nothing to prevent Nova Scotia from imposing excise duties on goods from Great Britain.

(Enclosed in Fishery's letter of September, 1762, which see. See also 23rd December).

ecember 4. Whitehall. Lords of Trade to Secretary of State (Egremont). Transmit petition from officers for grants of land on the St. John River on which they desire to settle. B. T. N. S. vol. 37, p. 174

(The petition dated at Halifax, 30th August, 1762, is at its date. It was signed by Captains Alexander Hay, John Sinclair, Hugh Dibbeig, Alexander Baillie, Capt. Lieutenant Robert George Bruce and Lieut. J. F. W. DesBarres on behalf of themselves and 54 other officers).

1763.
nuary 22, Lords of Trade to Belcher. Dispatches received; transmit minutes
hitehall. of the proceedings on the contents. B. T. N. S. vol. 37, p. 191

(For dispatches referred to in this letter, see 9th July, 7th September and 21st October).

Estimate (undated) of the charge for the civil establishment of Nova Scotia for 1763. 192

nuary 24, Belcher to Lords of Trade. Dispatches received. Has had some Acts
alifax. passed, but not as many as he could have wished, owing to the opposition of some of the members. The proclamation to invite persons to settle on the forfeited lots in the new townships has had a good effect; had directed the Surveyor General to prepare a return of the new settlers. The public accounts are in course of preparation, which will show that economy has been observed. Cannot obtain from Gerrish an account of his management of Indian Affairs; it is believed that he has a large sum in hand. M. 9, B. T. N. S. vol. 20

nuary 24, Same to the same. Is sending duplicates. Asks favourable consider-
alifax. ation for the case of Hinshelwood, dismissed to make room for Malachy Salter, since dismissed for opposition to Government. Transmits report from Bruce of the cleared lands on the river St. John; requests consideration for proposal to have them settled; estimate of the cost shall be sent when received. Had represented the precipitate action of McNutt in bringing, without notice, settlers to occupy lands reserved for disbanded troops. The expense incurred for McNutt's settlers, contrary to agreement with their Lordships. Sends returns of the Orphan's house, to show how unnecessary it was to have continued it on so extensive a scale. Sends duplicate of laws and calls attention to requisition for stationery. M. 6

Enclosed. Report by Bruce of the cleared lands on the St. John. The first settlement was at Beau Bear Fort, the next Grinrace (Grimross). The first real settlement is where the Rumuctu (Oromocto) falls into the St. John, the last and principal settlement is at St. Ann's (Fredericton). It is supposed there are altogether about 1,500 acres clear, but a survey is necessary. Describes the land. M. 7

Return of children in the Orphan house, 20 in all. M. 8

nuary 24, Belcher to Secretary of State (Egremont). Congratulations on the
alifax. birth of a Prince (afterwards George IV; he was born in August, 1762). Col. Cor. N. S. vol. 1, p. 126

nuary 25, Same to Lords of Trade. Sends naval officer's returns of vessels entered
alifax. and cleared, between 1st July and 31st December, 1762. M. 10, B. T. N. S. vol. 20

(The returns 1st January to 30th June and 1st July to 31st December are among the Board of Trade Naval Office lists, vol. 61).

ebruary 3, Belcher to the Society for the Propagation of the Gospel. Refers to
alifax. previous letter with subscription and gratitude for the appointment of Bennett; recommends his proposal for the appointment of two Schoolmasters for Horton, Falmouth, Newport and Cornwallis. The inhabitants of the latter thought of sending to New England for a dissenting minister, but have given up the idea since the arrival of Bennett and propose to build a church. At Horton a subscription has been opened to buy a house for a church and to make some provision for a schoolmaster. His thanks for removing Bennett to King's County and establishing Vincent at Lunenburg, which he hopes will conciliate the foreigners. Vincent has applied for an allowance for an assistant schoolmaster, as the Germans are unwilling to have an English education for their children if it is to cost them anything. Breynton represents his parishioners to number about 1,300, besides the military, of whom 850 belong to the Church of England, including 250 French and Germans, and 250 suspected Roman Catholics, whose children are brought up in the Church of Eng-

1763.

land. The bigotry of the Indians has abated and at their request Wood and Breynton held a service with them, which they (the Indians) have asked should be continued monthly. Lambeth MSS. 1124–2. fo. 156a

February 14, Treasury. Treasury to Lords of Trade, for estimate for Nova Scotia to be laid before Parliament. L. 151, B. T. N. S. vol. 19

February 26, Halifax. Wood to the Society for the Propagation of the Gospel. Reports that Breynton and he had last year baptized 160 and buried 120. The number of inhabitants is about 1,400, about 200 being French and Germans; between 300 and 400 are dissenters, the rest Church of England, but upwards of 200 are suspected to be Roman Catholics, though many of them come to church. The Church is neatly finished and the addition of an organ is expected. Lambeth MSS. 1124–2 fo. 158

February 27, Halifax. Belcher to the same. Breynton and Wood desire to contract the Society's expenses, proposing that Wood should serve the parishes of Annapolis Royal and that the duties at Halifax should be wholly discharged by Breynton, but this plan being opposed by the churchwardens, he fears that a further application may be made from Annapolis, where a missionary is much wanted. Necessity for building; has applied to Pownall for a sum to be placed on the estimates for this purpose. fo. 157a

A Minute, in three paragraphs, is appended to the letter, recording the decision of the Society. 157*a*, 158

February 27, Halifax. Breynton to the Society for the Propagation of the Gospel. Refers to Belcher's letter for details. Thanks for gratuities for 1760 and 1761; this would be the last time of applying for extra payment, Bennett's constant residence in the townships rendering future visits unnecessary. 158

February 28, Halifax. Belcher to Lords of Trade. Sends treasurer's account, &c. The causes of and remarks on the excess of expenditure. Correspondence and documents respecting the transportation of the Acadians; how the expense should be met. Sends statement of the total debts to be defrayed by Parliament; also documents relating to the Indian trade and statement of all the debts due under Lawrence's administration. Calls attention to Acts now under consideration and to the necessary measures for raising funds. M. 17, B. T. N. S. vol. 20

Enclosed. Extract from letter to Amherst, 22nd October, 1762, respecting the removal of the Acadians to Boston and other documents on the same subject. M. 18

Extract from a paper by Capt. Bruce, with notes on the information to be obtained on a survey of the St. John. M. 19

Instructions by Lawrence to Gerrish, as commissary for the Indian trade, 18th February, 1760, followed by letter from Gerrish and by a report of Council and reference. M. 20

Abstract of the civil establishment for 1762. M. 21

Return of debts due to sundry persons. M. 22

February 28, Halifax. Belcher to Secretary of State (Egremont). Proclamation of cessation of arms received and published. Col. Cor. N. S. vol. 1, p. 137

March 3, Whitehall. Order in Council. In reply to the memorial of McNutt (19th January) it is referred for a report on proposed instructions for a grant to him and also what, if any, grant should be made to him for the loss and damage he has sustained. M. 1, B. T. N. S. vol. 20

March 4, London. Memorial of George Taylor, complaining of delay in the courts of Nova Scotia and praying for a remedy. M. 11

March 5. Chelsea. Mauger to Lords of Trade. Offers to meet bills drawn by the Government of Nova Scotia at the rate of £100 for £105 currency for an amount not to exceed £10,000. M. 2

March 15. Memorial of Denys de Bredt, on behalf of Gridley, with papers in support of Gridley's application for a grant of the Magdalen Islands. M. 3

1763.
March 16, Whitehall. Lords of Trade to Belcher. When dollars are required he is to apply to Mauger or his agent at Halifax, drawing on the Treasury in his favour. B. T. N. S. vol. 37, p. 193

(For Mauger's offer, see 5th March).

March 16, Halifax. Belcher to Lords of Trade. Sends account of the expense attending the transportation of Acadians; he had been obliged to charge the cost of provisions besides that of transport to the civil expenditure, the military allowance to the Acadians being stopped when they were shipped. The saving to be made in the current year. The unseemly clamour for provisions for the new townships. Encloses the opinion of the Council in relation to Gerrish's complaint against him M. 14, B. T. N. S. vol. 20

Enclosed. Letter from Gerrish to the Council respecting his accounts for the Indian trade, complaining that he was denied access to the Lieut.-Governor. A resolution of the Council contradicts this statement. M. 15

Accounts connected with the transport of the Acadians to Halifax. M. 16

March 18. Further memorial by McNutt for compensation for the loss he has sustained by the withdrawal of permission to transport settlers to Nova Scotia. M. 4

Another memorial on the same subject. M. 5

March 23, Whitehall. Lords of Trade to the King. Recommend the formal appointment of members of the Council in whose favour no warrants have issued. The names are: Jonathan Belcher, Benjamin Green, John Collier, Charles Morris and Richard Bulkeley, appointed by his late Majesty; Alexander Grant, Edmund Crawley, Henry Newton and Michael Francklin, sworn in by virtue of a mandamus; Joseph Woodmas and Sebastien Zouberbuller, in room of Robert Grant and Thomas Saul, who have left the province. B. T. N. S. vol. 37, p. 194

March 24, Whitehall. Same to Montague Wilmot, Lieut.-Governor. Send Order in Council confirming the Act and amendment concerning divorce, with copy of representation showing the reasons. 197

March 26, Lunenburg. Moreau to Society for the Propagation of the Gospel. Enumerates his services and asks that the Board of Trade be requested to increase his allowance. Lambeth MSS. 1124—2 fo. 158*a*

April 12. Memorial of McNutt, with letters from members of the Council of Nova Scotia, respecting obstructions placed in his way by the Lieut.-Governor (Belcher) in his plans for settling the province. M. 12, B. T. N. S. vol. 20.

April 27. Petition (in French) from Jacques Robins for a grant of land at Miramichi. M. 13

April 27, Whitehall. Lords of Trade to Privy Council. Send proposed instructions to the Lieut.-Governor of Nova Scotia to grant lands to McNutt and the people introduced by him from the North of Ireland, in accordance with their Lordships' proposals of 5th March, 1761. McNutt has produced no legal proof of the loss or damage he has sustained, but as he was very diligent and has been at considerable expense, recommend he should receive a grant of land; they are not, however, in a position to fix the quantity until the number of settlers he has introduced shall be known. The commander in Nova Scotia should be instructed to ascertain this. B. T. N. S. vol. 37, p. 198

Instructions follow. 202

April 27, Whitehall. Lords of Trade to the King. Second recommendation of persons to be appointed councillors in Nova Scotia. In the first list the name of Joseph Gerrish is added after that of Bulkeley; in the third list, the name of William Nesbit is substituted for that of Joseph Woodmas. (For these lists, see March 23). 211

1763.
April 27, Lunenburg. Vincent to the Society for the Propagation of the Gospel. Refers to previous letters (not received). The Lutherans and Calvinists seem perfectly united and constantly attend. From 1st January to 3rd April he had baptized 28 in the German congregation, buried 2, married 4 couples and had 73 communicants at Easter; asks for books.
Lambeth MSS. 1124—2, fo. 159

May 3, Halifax. Belcher to Lords of Trade. The steps that have been taken to meet the debts secured on the revenue from the duties on spirituous liquors, which have been found insufficient. Is preparing accounts of the Indian trade; regrets the great loss on this account. Other accounts shall be sent. M. 25, B. T. N. S. vol. 20

Enclosed. Speech on opening the Legislature: addresses, &c. M. 26

May 16, Versailles. Choiseul de Nivernois (in French). The French inhabitants at Isle Royal desire to return, to sell their lands and properties. As so many returning might give umbrage, suggests that three or four principal men, furnished with powers of attorney proceed to the island to negotiate the sales for the others. No mention is made of any arrangements of this kind in the treaty, either to allow or prohibit, but the power is claimed by virtue of natural law. Col. Cor., N. S. vol. 1, p. 127

A note (in English) follows pointing out that according to the capitulation the inhabitants sent to France had nothing left to sell, and that were Choiseul's proposals assented to, compensation might be claimed by these people for property destroyed from military considerations. 129

Another short note on the position of the removed inhabitants with respect to the lands. 130

Extract from the treaty of Utrecht respecting the Acadians, who by remaining had become subjects of Great Britain, and instead of being removed to the Colonies, might have been executed for high treason. 133

(These three memoranda are neither dated nor signed).

May 24, London. Jacques Robins to the Governor of Nova Scotia. (Translation from French). That he is a French Protestant, about to settle at Miramichi; encloses letters to be forwarded to the French neutrals; if any should be willing to join him asks that they be admitted to take the oath of allegiance. Those who refuse to take the oath shall not obtain lands from him. Expects to leave in a month and shall wait on him (the Governor) on his arrival. B. M. add. 19071, fo. 196

May 24, London. Same to Guiguinen, Halifax (in French). Encloses letter from Manach. Is about to settle at Miramichi and offers land to the Acadians. Although a Protestant, he will protect the Roman Catholics and live with the priest as with his own brother. Hopes that Manach will come himself, he having asked the British Government to allow him to return to Acadia. Hopes he (Robins) may succeed in his project, the success of which depends on fidelity to England. He (Guiguinen) may converse on the subject with Brousard *dit* Beausoleil, to whom he has written from London, he having been foolish enough to leave without saying good bye. Thinks he (Robins) will leave in a month, landing at Gaspé or Pabos and hopes on his arrival to find all the Acadians and French ready. Has written to the Governor. Asks him (Guiguinen) to bring some salmon nets and save hay for a few cattle to be fed during the winter. 198

May 29, Halifax. Belcher to Secretary of State (Egremont). Sends congratulations of the general Assembly on the birth of the Prince of Wales.
Col. Cor. N. S. vol. 1, p. 139

May 29, Halifax. Same to Lords of Trade. Will, as directed, give bills to Mauger for dollars. M. 27, B. T. N. S. vol. 20

May 30, Treasury. Treasury to the Same. Refer for consideration and report a memorial of McNutt with proposal to transport foreign Protestants to South Carolina, on condition of receiving a grant of land. The memorial,

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attached, asks for a grant in the island of St. John (P. E. I.) then part of Nova Scotia. M. 23, B. T. N. S. vol. 20

June 1, London. Memorials (two) of Hutchison Mure and others for lands in St. John Island, for settlement and the establishment of a fishery. M. 48, M. 50

Memorial from Robert Mackoren, of London, (undated), for grants in Nova Scotia and Cape Breton, received by the Lords of Trade at the same time as the preceding. M. 49

Memorial of John Greg, for lands in St. John Island and Cape Breton, with a map. M. 51

Memorial from McNutt, for land in Cape Breton. M. 52

June 10, London. Robins to Louison Petitpas (in French). Manach has desired him to say that he would sail this Autumn to be their priest and asks that the people repair to Miramichi; they will all be satisfied if they settle on lands granted there by the King. Will follow his advice as to the site of the house, &c. Has written to James Vignau *dit* Jacob Maurice, now at Boston, to come to Miramichi, so that the news might be communicated to the Acadians at Halifax and elsewhere in America, &c. A note at the end, addressed to Vignau, states that this is a copy of the letter to Petitpas. B. M. add. 19071, fo. 199

June 10, Halifax. Belcher to Lords of Trade. Dispatches received; shall attend to instructions respecting correspondence. Returns are in course of preparation. M. 30, B. T. N. S. vol. 20

June 10, Whitehall. Lords of Trade to Treasury. Report on a proposal by McNutt to carry foreign Protestants to South Carolina, on condition of receiving land on the island of St. John. If the proposal is to carry over foreign Protestants without limitation, it cannot be approved of and the situation of St. John Island is too valuable for the fishing to warrant so extensive a grant as McNutt asks for; he may have a grant in any other Province. B. T. N. S. vol. 37, p. 213

June 10, Halifax. Belcher to Secretary of State (Egremont). Has received information of the definitive Treaty of Peace being signed at Paris on the 10th of February; assented to by Portugal and ratifications exchanged. The event communicated within the government of Nova Scotia, to the joy of all. Col. Cor. N. S. vol. 1, p. 140

June 20, Treasury. Treasury to Lords of Trade. Refer for consideration and report the memorial of McNutt for a grant of land. M. 24, B. T. N. S. vol. 20

June 22, Whitehall. Lords of Trade to the King. Recommend that the Act to enable creditors to recover from absent or absconding debtors, be assented to. B. T. N. S. vol. 37, p. 215

July 8, Halifax. Belcher to Lords of Trade. Sends accounts, &c., with remarks. M. 31, B. T. N. S. vol. 20

Enclosed. Account of supplies for the Indian commerce shipped to Gerrish by order of Lawrence. M. 32

Proceedings and accounts in the course of the public Indian trade in Nova Scotia, with remarks upon the several accounts. M. 33

State of Indian corn purchased for the new settlements. M. 34

July 14, Whitehall. Lords of Trade to Treasury. Send copy of resolutions respecting McNutt's proposal to carry foreign Protestants to South Carolina. B. T. N. S. vol. 37, p. 217

(McNutt's proposal, agreed to by the Lords of Trade, was that on procuring a certificate from the Governor of South Carolina, he should obtain a grant of land in Nova Scotia as payment. (See minutes of Council in Trade papers, vol. 71, p. 173, dated 6th July, 1763).

July 20. Memorial (in French undated) from Capt. Stumpel, for a grant of land in North America and to be employed in his military capacity. (Received on the date in the margin). M. 28, B. T. N. S. vol. 20

A second memorial, dated 20th July, for land in Nova Scotia. M. 29

1763.
July 28, Falmouth, N.S. Bennett to the Society for the Propagation of the Gospel. His success has been beyond his expectations; has given up fees to avoid the appearance of lucrative views. Has taken a house and land at £40 a year, which he hopes the Board of Trade will allow him. Has baptized 16, married 3 couples and buried 3 persons; his communicants are 18.
Lambeth MSS. 1124—2, fo. 178

July 30. Proposals for the effectual settlement of the valuable Colony of Nova Scotia, by J. F. W. Desbarres, of the 60th Regiment, acting engineer.
Col. Cor. N. S. vol. 32, p. 2

Approbation of the Lieut.-Governor and Council and of the commanding and principal officers of the troops, dated 30th July, 1763. 1

August 2, Halifax. Belcher to Secretary of State (Egremont). The news of peace had been communicated: the authentic proclamation received and published.
Col. Cor. N. S. vol. 1, p. 141

August 3, Halifax. Same to Lords of Trade. Sends naval officer's returns of vessels entered and cleared to 30th June. M. 35, B. T. N. S. vol. 29

(The returns are in Naval Office lists, vol. 61).

(A duplicate of the letter is marked M. 83).

August 4, Halifax. Belcher to Lords of Trade. Accounts to the 30th June sent. The arrears for transportation of Acadians are paid and will be inserted in this quarter. The only demand beyond the estimate will be for the loss on the Indian trade, of which full accounts of the expenses are sent.
M. 36, B. T. N. S. vol. 29

Enclosed. State of the Parliamentary estimate. M. 37

August 5, Halifax. Charles Morris and Henry Newton, a Committee of Council, to Mauger. The officers and disbanded soldiers from New England, settled on reserved lands on St. John River, should not be removed. They will be of great use and their removal would cause their total ruin. M. 53

Memorial from the settlers follows. M. 54

August 8. Memorial (in French) from the inhabitants of the River St. John, to be allowed to gather their crop and remain for the winter.
B. M. add. 19071, fo. 293

August 10, Halifax. Belcher to Lords of Trade. Sends estimate for 1764, which he hopes will cover all expenses. M. 40, B. T. N. S. vol. 29

Enclosed. Estimate. M. 41

August 13, Halifax. Belcher to Lords of Trade. Transmits additional accounts for the Indian trade, with remarks. M. 45

Enclosed. Expenses omitted in the report of Auditors. M. 46

August 25, Halifax. Belcher to Secretary of State. Sends resolutions of Council respecting measures directed in name of the Duke de Nivernois for inviting the Acadians to remove to France. Col. Cor. N. S. vol. 1, p. 145

Enclosed. The resolution of Council, containing copies of the letters to and from the Acadians, which, it was recommended should be sent to the Secretary of State "being of opinion that such correspondence "between His Majesty's subjects and those of the French King, without "the knowledge of Government, may be prejudicial to His Majesty's "interests." 146

August 30, Whitehall. Lords of Trade to the King. Recommend that the petition of Stumpel for two townships of 100,000 acres each for the settlement of foreign Protestants should be granted, on the ground of defence.
B. T. N. S. vol. 37, p. 219

Referred again for re-consideration, especially with regard to furnishing the settlers with arms, &c., at the public expense.
M. 43, B. T. N. S. vol. 29

Stumpel's petition for lands between the St. John and the St. Croix.
M. 44

September 3, Halifax. Memorial of Michael Francklin and others for a grant of 100,000 acres in Nova Scotia. M. 65, B. T. N. S. vol. 29

1763.

Estimate of the expense. M. 66, B. T. N. S. vol. 20

Memorials by Samuel Smith, John Cathcart, John Mill, Hutchison Mure, George Spence, W. Ridge and others, and Admiral Saunders and others. M. 67 to M. 74

tember 13, ifax. Belcher to Lords of Trade. Sends account of the extraordinary expenses for the last and current years, to this date, showing that there are no arrears except in the course of the public Indian commerce, a statement of which has been sent. M. 84

The account. M. 85

(Duplicates marked N. 2 and N. 3 in vol. 21).

tember 13, ifax. Belcher to Lords of Trade. His Majesty's confirmation of two Acts received. A day of Thanksgiving ordered. Shall deliver papers to Wilmot on his arrival. M. 86

tember 20, don. Society for the Propagation of the Gospel to the same. For allowance of house rent to Bennet, missionary in Nova Scotia. M. 38

tember 27, James's. Secretary of State to the same. Montagu Wilmot has been appointed Governor of Nova Scotia and a commission is to be prepared to include Cape Breton and St. John, with such alterations respecting the government of Nova Scotia as their Lordships had proposed on the 8th of June. Col. Cor. N. S. vol. 1, p. 143

(An unsigned document).

tember 27, James's. Secretary of State (Halifax) to Lords of Trade. To prepare commission and instructions to Wilmot, Governor of Nova Scotia. M. 39, B. T. N. S. vol. 20

tember 27, lifax. Wilmot to the same. Had arrived on the 24th and entered on the administration on the 26th. Transmits the estimates prepared before his arrival; sees no necessity for any alteration. Sends minutes of Council. M. 47

tember 28, don. Mauger to the same. Memorial on behalf of the settlers of Nova Scotia for continuance of the Protection Act, for repeal of Indian reserves on the coast and that the Act for imposing a duty on spirituous liquors may be approved of. M. 42

ober 5, itehall. Lords of Trade to the King. Transmit proposed instructions for Montagu Wilmot, Governor of Nova Scotia. These are conformable to what has been approved in respect to the Southern boundary of Quebec, and include Cape Breton and St. John Island. The report continues: "We have made the river St. Croix the boundary to the westward, for "although it be true that the antient bounds of this Province, as it was "possessed by France under the Treaties of Breda and Ryswick, and ceded "to Great Britain by the Treaty of Utrecht, under the name of Acadia, "did extend as far west as the River Pentagoet, or Penobscot, yet as it "appears to have been determined in the year 1732, upon full examina- "tion of the claims of the Province of Massachusetts Bay, as well by "the Attorney and Solicitor-General as by this Board and finally by His "Majesty's Council, that the said Province had a Right of Jurisdiction "and Property under the limitation of the Charter of the Country, "between the rivers Sagadehock and St. Croix, and as in consequence "of this examination, the Instructions given to Colonel Dunbar and to the "Governor of Nova Scotia to make settlement within that tract were "revoked, and it was ordered that the Province should not be disturbed "in the possession they claim to have of this Country, it does not appear "to us that this question is for the present open to a new Discussion. "But as we conceive there are many material circumstances in favour of "Your Majesty's Rights to the Country as far Westward as the River "Penobscot, which were not stated in the case laid before the Attorney "and Solicitor General in 1732, upon which case their Opinion and the "Opinion of the Council were founded, We do not think it advisable that "this restriction of the Western Bounds of Nova Scotia to the River St.

1763.

"Croix shall pass without some reservation of Your Majesty's Right to "the Country between that River and Penobscot, being entered upon the "Council books." B. T. N. S. vol. 37, p. 229

Commission follows. 234

October 7, Halifax. Wilmot to Secretary of State (Egremont). Had waited some time at Quebec for a passage and arrived at Halifax on the 24th of last month, entering on the administration on the 26th. Shall as instructed, co-operate with the navy, in checking illicit traffic. The use made of the islands of St. Pierre and Miquelon for the purposes of this trade and, by making them free, the French are able to carry on this traffic to the detriment of British trade, which might be prevented.

Col. Cor. N. S. vol. 1, p. 153

October 12, Halifax. Same to Lords of Trade. He had already reported his arrival and sent estimates. M. 87. B. T. N. S. vol. 20

October 14, Halifax. Wood to S. P. G. Has visited Annapolis Royal and Grandville, in which are 800 souls without church or minister; their joy at the prospect of his coming among them. Has engaged Wilkie to read prayers and act as catechist; books wanted. He (Wood) is willing to remove to Annapolis next spring, as soon as he shall receive instructions; asks that the Lords of Trade be requested to send instructions to the Lieut.-Governor to have a new church built and that he receive £70 a year like the other missionaries. Asks for the reimbursement of his travelling expenses. Lambeth MSS. 1124—2 fo. 212

October 15, Halifax. Return of families settled in the townships of Horton, Cornwallis, Falmouth and Newport, in King's county, with number of persons, and amount of stock and crop, signed by Joseph Deschamps.

B. M. add. 19071, fo. 213

October 16, Halifax. Wilmot to Secretary of State (Halifax). Had written of his arrival and sent copy of letter addressed to Egremont. The unhappy divisions in the Province have in a great measure subsided; his connection with His Lordships's family had contributed to this, as they look up to him (Halifax) as their patron. They are a worthy people, and want only countenance and protection, many of them having had a hard fate.

Col. Cor. N. S. vol. 1, p. 214

October 25, Louisbourg. Tulleken to Secretary of State (Egremont). Shall do all in his power, according to instructions, to put a stop to clandestine trade; the difficulties of making seizures. Had granted liberty for fishing last season; the success of the fishermen convinces him of the importance this new acquisition would assume, if legal grants of land and fisheries could be given to such persons as should apply for them. 165

October 29, Halifax. State and condition of Nova Scotia, with some observations signed by Charles Morris, Surveyor General, and Richard Bulkeley, Secretary of the Province. B. M. add. 19071, fo. 207

November 18. Memorial of Sir Alexander Grant for payment of money advanced by Mr. Alexander Grant on account of the Indian trade of Nova Scotia.

M. 79, B. T. N. S. vol. 20

Enclosed. Accounts of Alexander Grant, showing a balance due him of £7,329, 1s. 4d. (There are two copies). M. 80

November 22, Whitehall. Lords of Trade to Wilmot. Had received letter reporting his arrival at Halifax as Lieut.-Governor and congratulate him on being appointed Governor in Chief, for which office his commission and instructions shall be sent. He is to guard against any excess in the expenditure over the amount voted by Parliament. The exertions he is to make on account of the fisheries of the islands of Cape Breton and St. John; he is to report fully respecting their extent, condition, &c., as well as the most eligible plan for their settlement, but is not to grant any lands, or any privileges that may act as a monoply. B. T. N. S. vol. 37, p. 248

1763.
vember 22, Breynton to the Society for the Propagation of the Gospel. Has taken
lifax. the whole duty at Halifax, that Wood may remove to Annapolis. Harmony in the congregation. Lambeth MSS. 1124—2, fo. 218*a*

vember 24, Address of Assembly to Wilmot. Owing to the division into counties
lifax. and increase of settlements, ask that Superior Courts of judicature may be held in the several counties for the trial of civil actions, felonies, &c., conformable to the constitution of the court at Wesminster, with several judges skilled in law, which would give more satisfaction than having the decision depend on the opinion of any one man. N. 5, B. T. N. S. vol. 21

vember 25, Lords of Trade to Privy Council. Report on Gridley's petition for
itehall. the Magdalen Islands, that whilst every encouragement should be given to seal and sea cow fishery, they cannot recommend in the meantime that the grant should be made. B. T. N. S. vol. 37, p. 254

vember 26, Secretary of State to Wilmot. Had desired the Ambassador at Paris
James's. to remonstrate against the extraordinary proceedings of Nivernois respecting the Acadians. He is to keep a watchful eye on these secret negotiations; at the same time steps should be taken to put the Acadians in proper settlements, a matter under consideration by Amherst, Murray and the Government of Nova Scotia, in 1761. Sends copies of letters between the Governor of Quebec and Belcher, that a resolution was taken to remove all the Acadians remaining in Nova Scotia to a distant part of Canada; has heard nothing of the execution of the measure and desires to know the reason of the delay. "What is the number and present "situation of the French Acadians within your Government? What are "the present intentions of yourself and your Council with respect to "these people? Whether, in your judgment, they may with equal safety "and greater satisfaction to themselves, be settled in any other Province "than that of Quebec?" The importance of his information about the illicit trade from St. Pierre and Miquelon; cutter and shallops to cruise between Anticosti and Isle Aux Coudres to stop the contraband trade with Canada. Col. Cor. N. S. vol. 1, p. 158

cember 8, Mauger to Lords of Trade. Complains that bills drawn in his favour
ndon. on the agent for Nova Scotia have been refused. M. 81. B. T. N. S. vol. 20

cember 10, Wilmot to the same. Sends copies of letters from Jacques Robins,
lifax. who says he has possessions in Mirimichy (Miramichi) and has issued an invitation to all Acadians to come and settle there, where they will obtain lands and provisions; urges them to cultivate intercourse with the Indians, assures them of freedom of religion and that he will bring with him a French priest named Manach. He (Wilmot) reports that Manach was formerly arrested and banished from the Province for turbulent conduct. Objections to such a settlement as that proposed by Robins. The House of Assembly has conducted its business with unanimity, zeal and success. Transmit application of the Assembly for the appointment of two assistant judges. Reports the condition of the new settlements; intends to make a tour through the country after which he will report more fully. M. 104, B. T. N. S. vol. 20

Enclosed. Copies of letters from Robins, mentioned in the preceding letter. M. 105 to M. 107

cember 10, Wilmot to Secretary of State (Halifax). Information substantially as
lifax. in letter to Lords of Trade respecting the proposals of Robins, but entering into greater detail as to the danger to be apprehended from such a settlement. A chief of the Cape Breton Indians, when refused provision at Louisbourg, applied to the French and has been three months at St. Peter's. The plan proposed by the Admiralty of paying off the seamen annually at their stations would be of great advantage to the Province, as the pay of six men of war would be spent there, beside the benefit derived from the visits of the squadron for repair, cleaning, &c.
Col. Cor. N. S. vol. 1, p. 217

1763.
December 10, Halifax. Wilmot to Lords of Trade. Respecting obtaining priest for the Indians. 271

(Wilmot sent an extract from this letter to Secretary of State (Halifax) on the 18th December, 1764).

December 15, Whitehall. Lords of Trade to the King. Recommend that the modified petition of Stumple for a township of 20,000 acres be granted on the river St. John, or between it and the St. Croix, on conditions stated. B. T. N. S. vol. 37, p. 254

December 16, Halifax. Belcher to the Society for the Propagation of the Gospel (two letters one dated 16th the other 29th). Again recommends the establishment of schools in several towns. An Act to restrain the means of instruction and the institution of schools was rejected by a great majority, but an Act vesting in the nominees of freeholder's powers belonging to parish churches and vestries unfortunately passed; hopes to have it repealed. Wood removed to Annapolis with the consent of the vestry of Halifax and the leave of the Lieut.-Governor; Breynton has now the sole care of Halifax. Lambeth, MSS., 1124—2, fo 242

December 20. John Cathcart to Lords of Trade. For a grant of 20,000 acres on the island of St. John. M. 55, B, T. N. S. vol. 20

A similar application from John Mill. M. 56

A similar application from George Spence. M. 57

A similar application from Hutchison Mure. M. 58

(These four applications are in the same writing (signatures excepted) undated and received on the same day, the date in margin).

December 20, Whitehall. Lords of Trade to the King. Recommend that a grant be made to Marteilhe, of Quebec, of a tract of land to the south of the Baie des Chaleurs and the mouth of the river Caraquet in Nova Scotia, for the prosecution of the fishery on conditions stated. B. T. N. S. vol. 37, p. 259

(The memorial from John Marteilhe and François Mounier, which should follow, is among the Board of Trade papers, Canada, Quebec, vol. 1, marked A. 19; it is in French and gives the bearings of the lands asked for).

On the same date, the Lords of Trade recommended that the memorial of the disbanded officers of the Provincial forces be granted, and that they be confirmed in possession of the lands on which they have settled, on or near the St. John River. B. T. N. S. vol. 37, p. 262

(For memorial, which should accompany the above recommendation, see B. T. N. S. vol. 20, M. 54; it is by Francis Peabody, John Carlton, Jacob Baker, Nicholas West and Israel Perley, on behalf of themselves and other disbanded officers).

December 23, Whitehall. Memorial by Pownall and others for land in St. John Island. M. 59, B. T. N. S. vol. 20

Two memorials from Thomas Greg and John Greg, senior, for land in the same island. M. 60

One from Charles Lee and 20 others for 20,000 acres each on the same island. M. 61

(These were undated and read at the Board of Trade on the date in margin).

December 29, Whitehall. Edward Sedgwick to Edward Weston (under secretaries, Sedgwick for the southern and Weston for the northern department). The capitulation of Quebec does not show whether Cape Breton was, or was not, in the commission of the French Governor of Canada; he believes not. "It is abundantly clear that the French at Cape Breton cannot have a shadow of right to sell their houses and lands.

(1) "Because there is no such liberty given by the capitulation of Louisbourg in July, 1758.

(2) "Because the capitulation of Quebec, made 14 months after" (in September, 1759), "in giving that privilege to the Canadians, says not a "word of Cape Breton.

1763.

(3) "No such liberty is stipulated for them in the definitive treaty." Has sent for information to ascertain whether the King might grant as a favour what is denied as a right. Col. Cor., N. S. vol. 1, p. 163

date. Answer that the Governor will redress any grievances, but can take no notice of the memorial from Annapolis respecting the disposal of lands. B. M. add. 19071, fo. 205

1764.
uary 13, James's. Sedgwick to Lords of Trade. Has, by order of Lord Halifax, sent extract from a letter from Col. Tulleken, commanding at Louisbourg, reporting the frequent applications made to him for grants of land in Cape Breton and St. John Island. M. 75, B. T. N. S. vol. 20

Extract follows. M. 76

uary 16, niralty. Egmont to Secretary of State. Asks that his memorial be presented to the King. Col. Cor., N. S. vol. 1, p. 169

Enclosed. Memorial for a grant of the whole island of St. John, to be held in fief of the Crown for ever, as one entire county, the terms of the tenure being to find 1,200 men for its defence and under certain conditions which are given at length. 170

(This memorial will be found among those relating to Prince Edward Island).

uary 18, James's. Halifax to Lords of Trade. Transmits for consideration and report, memorial of Lord Egmont for grant of the island of St. John. M. 62, B. T. N. S. vol. 20

Enclosed. Memorial marked M. 63, duplicate of the enclosure in Egmont's letter of the 16th January.

uary 20, itehall. Estimate of the charge for civil establishment of Nova Scotia for 1764. B. T. N. S. vol. 37, p. 265

uary 23. Memorial of Samuel Holland, Joseph Peach and Benjamin Hallowell for lands on the St. John River. M. 64, B. T. N. S. vol. 20

uary 28, ifax. Wilmot to Secretary of State (Halifax). Reports that the Acadians have sent a memorial to the King of France for their removal and if this shall meet with an unfavourable reception, they will take the oath of allegiance. Asks instructions how to act and repeats his opinion that they would be most useful in the conquered islands of the West Indies. Col. Cor. N. S. vol. 1, p. 223

uary 28, ifax. Same to Lords of Trade. Dispatch received. Had published proclamation at Halifax relating to the new conquered countries in America; this would also shortly be done in the distant parts of the Government. It shall be his zealous care to suppress prohibited and clandestine trade. Had been lately informed that the Acadians had sent a memorial to the King of France to be removed. If unfavourably received they will take the oath of allegiance. Asks for instructions in that event. N. 4, B. T. N. S. vol. 21

uary 31. Mure, Mills, Spence and Cathcart to the same (undated). Withdraw previous application and desire to be admitted as associates with Lord Egmont to the lands in St. John Island. M. 77, B. T. N. S. vol. 20

ruary 4. Memorial of Richard Cumberland, agent for Nova Scotia, reporting that there is a large excess of expenditure over the grant and asking from what fund the creditors are to be paid. M. 78

ruary 11, don. Society for the Propagation of the Gospel to Lords of Trade. For allowances to missionaries in Nova Scotia. M. 82

ruary 11, James's. Secretary of State (Halifax) to Wilmot. In answer to inquiry through the ambassador to France, the Duke of Nivernois denies that he had taken any part in the attempt alleged to be authorized by him to seduce the Acadians; de la Rochette, reported to be the agent, says he never wrote a letter to any Acadian, although he had been engaged in respect to the transport of some who had been brought to France by leave of the King of Great Britain; hence probably the use of his name. The

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situation of the Acadians stated in a memorial by the French Ambassador, who asked that they should be allowed to return to France, answered by Hartford, in whose opinion the French ministry agreed, that the King of Great Britain had a right to dispose of these people and that they (the French ministry) did not pretend in any degree to interfere. Col. Cor. N. S. vol. 1, p. 26

February 13, Whitehall. Lords of Trade to Secretary of State (Halifax). Transmit representations on the memorial from Egmont for a grant of the island of St. John, and, in addition if it contains considerably less than two millions acres, a convenient district in Dominica. Col. Cor. N. S. vol. 1, p. 264

A report to the King of the same date follows, stating the reason they have for considering it inexpedient to recommend the grant prayed for by Egmont, either from a political or commercial point of view and recommending that the island be settled on the same principle as Nova Scotia, of which it forms a part. 266

(Duplicates in B. T. N. S. vol. 37, pp. 266, 268).

For Lord Egmont's plan of governing the island of St. John, see Prince Edward Island papers.

February 15, Whitehall. Lords of Trade to Society for the Propagation of the Gospel. There is not enough of money granted to build a church at Annapolis, but directions shall be given to put Wood on the same footing as other missionaries; provision made for an allowance to Bennet for house rent. B. T. N. S. vol. 37, p. 274

February 25, Halifax. Wilmot to Lords of Trade. Dispatches received. Shall regularly transmit papers and accounts; sends reports, &c. The advantages of the Act that "Foreign debts shall not be pleadable in the Province, except "for goods imported into it," as by the protection it afforded them, distressed debtors had been able to pay off their debts, instead of having all their goods seized by the first creditor. The Act, which had expired, is prolonged for three years; in accordance with the opinion of their Lordships, it only protects those who were in the Province before the 28th of August, 1762. N. 6, B. T. N. S. vol. 21

The papers sent were

Records of Council, entitled "Records of His Majesty's Council from 28th July, 1763, to the 15th September following." B. T. N. S. vol. 48

Naval Officers' returns in naval office lists 1761 to 1765 (old number 52)

Journals of Assembly. B. T. N. S. vol. 49

Copies of Acts. These are in the printed collection in the Archives.

March 6, Whitehall. Lords of Trade to the King. Transmit general and trade instructions, proposed to be given to Montague Wilmot, with remarks on the different clauses. B. T. N. S. vol. 37, p. 275

The general instructions follow. 279

(The instructions for trade and navigation are in B. T. New Hampshire, vol. 9, p. 163, addressed to Benning Wentworth. The address to the Governor of Nova Scotia, to be substituted, will be found at the beginning of the general instructions, noted above).

March 9, St. James's. Order in Council, referring, for consideration and report, memorial for lands in St. John Island. The memorial, signed "Egmont," is attached with a list of the associates. M. 88, B. T. N. S. vol. 29

March 9, London. John Henniker to Lords of Trade. Applies for 100,000 acres of land in Nova Scotia. M. 100

A letter of same date, signed by John Major is identical in its terms. M. 101

March 14, London. Mauger to Lords of Trade. That with the representation of the 11th February (this does not appear to be among the papers), he had waited on the Secretary of the Treasury, but was told it would have no effect.

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as something much stronger was required. Hopes that their Lordships will themselves apply to the Treasury on his behalf. If not, he shall petition Parliament, one good effect of which, if there is no other, will be to warn people against advancing money on account of Government. N. 20, B. T. N. S. vol. 21

(Endorsed as received and read on 5th March).

arch 19, hitehall. Privy Council to Lords of Trade. Refer petition from Hon. William Howe and others for land in Cape Breton to be used for opening coal mines. The lands asked for were on the east side of Cape Breton from the point on the north side of Miré Bay to the south-east side of the entrance into the Labrador (Bras d'Or) and seven miles inland, containing 55,000 acres. The memorial is attached; the memorialists are Brigadier Generals Howe and Williamson, Colonel Dalling, Lieut. Colonels Oswald, Moneypenny and Smith, Captains Williamson, Garth, Marsh, Leslie, Foster and Hayes, and Messrs. Wier and Porter. M. 94. B. T. N. S. vol. 20

In a letter dated 11th April, Howe writes that if the offer to pay the usual quit rent for the coal lands be thought inadequate, he and his associates would pay besides two shillings on every chaldron of coal exported, but urges that from the risk of the undertaking the additional charge should not be made. The memorial accompanying this letter is a duplicate of that enclosed in the Privy Council's letter of 19th March, except that the extent of land is given as 80,000 instead of 55,000 acres. M. 95

larch 20, Vhitehall. Lords of Trade to Wilmot. His duty under the recent treaty, by which every obstruction to the settlement and improvement of the American Colonies has been removed. His attention is directed to the following points. 1. The appropriation and application of the money granted by Parliament for the support of the Colony for the year 1764. 2. What is necessary to be attended to in the execution of His Majesty's instructions respecting granting lands and making settlements within the colony, and 3. The measures to be observed in respect to the Indians and the regulation of commerce with them. These points are dealt with at some length. B. T. N. S. vol. 37, p. 365

Financial statements to show Belcher's extravagance. 389

Estimate for 1764. 392

larch 22, lalifax. Wilmot to the Secretary of State (Halifax). The proposal to remove the Acadians to Quebec was that made by Murray and referred only to those beyond the isthmus. With those in other parts, particularly at Halifax, no steps could have been taken except by orders of Amherst, they being prisoners of war. The Government of Nova Scotia has always been apprehensive of these people; and in 1762, when the French had taken Newfoundland, their conduct was so menacing and they were so active in stirring up the Indians, that by advice of a Council of War, they were collected and sent to Boston to prevent the imminent danger to the Province. It was then, for the first time, that Amherst referred to the proposals made by Murray to remove them to Quebec. Sends list of their number, which he describes as considerable; how they are supported. They are inflexibly devoted to France and the Romish religion and by intermarriage with the Indians their power and disposition to be mischievous is more to be dreaded; flattering themselves with some favourable revolution from another war, they will never sincerely submit. Were the country filled with people well established and the Acadians judiciously distributed, they might be kept in subjection by the ordinary attention of Government. The doubtful policy of settling them in the neighbouring provinces of New England. After the expulsion in 1755, many returned from as great a distance as South Carolina and not only opposed but actually attacked the King's troops. They

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would not go to Canada, for some who went there in the late war were not only treated with the utmost neglect, but also with contempt and dislike by the Canadians. Repeats his recommendation to send them to the West India Islands. Shall use every effort to neutralize the efforts to seduce them. Col. Cor. N. S. vol. 1, p. 230

Enclosed. The number of families and persons, of French Acadians in the different parts of the province. 239

The numbers are thus given:—

	Families.	Persons.
At Halifax and environs	232	1056
King's County, Fort Edward	77	227
Annapolis Royal	23	91
Fort Cumberland	73	388
	405	1762

March 23, Halifax. Wilmot to Lords of Trade. Dispatches received. Shall keep within the limits of the public money voted. Had, therefore, only drawn for one quarter's salary to the public officers, at which time no money was left in the Treasury. Had deferred action respecting the Island of Cape Breton and St. John, except by temporary arrangements. Since receipt of dispatch shall have survey made, so as to form plans for settlements. Owing to delay in the post office, asks that his letters may be sent to the care of the Governor of New York, as some of them had only been discovered by accident. N. 8, B. T. N. S. vol. 21

March 23, Whitehall. Lords of Trade to the King. Having considered the reference with memorial from Earl of Egmont for a grant of the island of St. John, to himself and military and naval officers, recommend that separate grants should be made, each of not more than 20,000 acres and a whole parish to the Earl of Egmont for himself and his nine children, and that the lands should be laid out in townships of 20,000 acres each reserving gold, silver, copper, lead and coal, and a sufficient beach above high-water mark for the accommodation of the fishery.

B. T. N. S. vol. 37, p. 394

March 26, St. James's. Order in Council referring to the Lords of Trade for consideration and report, the memorial of the Duke of Richmond and others for a grant of the island of Cape Breton, to be settled in such manner as shall appear most proper to His Majesty. M. 93, B. T. N. S. vol. 20

April 26, London. Lamb to Lords of Trade. He sees no objection to the Acts passed in Nova Scotia in point of law, except to No. 3, "An Act for regulating the proceedings of the court of judicature," which should not be confirmed. N. 9, B. T. N. S. vol. 21

(The titles of the Acts are in the report, but the numbers do not agree with those of the chapters in the printed collection).

April 21. Admiralty to Lords of Trade. Transmit letter from Capt. Thompson, of H.M.S. "Lark," with application from two Indian chiefs of Cape Breton for goods (presents). Ask for report whether it would be proper to gratify the Indians; if so, will order the presents to be sent by H.M.S. "Tweed" M. 89, B. T. N. S. vol. 20

Enclosed. Letter from Thompson with list of the goods asked for. M. 90

April 28, Portsmouth. Thompson to Lords of Trade. Urges that the Indians should be gratified, as it will induce them to do everything in their power to promote His Majesty's interest. M. 91

May 1, Whitehall. Lords of Trade to Admiralty. The proper channel of dealing with the Indians is through the Governor or Commander-in-Chief of the Colony in which they reside. The Mic-macs should therfore be directed to apply for their presents to the Governor of Nova Scotia.

B. T. N. S. vol. 37, p. 465

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r 1, Lords of Trade to Thompson, of H.M.S. "Lark." Thanks for his attention to the public service. Send him copy of letter to the Admiralty.
itehall. B. T. N. S. vol. 37, p. 407

r 2. Admiralty to Lords of Trade. Have received letter respecting presents for the Cape Breton Indians and directions shall be given accordingly to Capt. Percival of H.M.S. "Tweed". M. 92, B. T. N. S. vol. 20

r 8, Lords of Trade to Wilmot. Send copy of correspondence respecting
itehall. the Indians and instructions how he is to meet their demands.
B. T. N. S. vol. 37, p. 408

r 9. Memorial (undated) from Richard Byron for a grant of land in Nova Scotia. M. 103, B. T. N. S. vol. 20

r 9, Order in Council that no lands shall be granted except on the con-
James's. ditions stated in the report of the committee of Council attached to the order. M. 108

(The report attached is dated at Whitehall, 23rd March).

r 10. Memorial (undated) from Sir Thomas Fludyer, Adam Drummond and Ant. Bacon, that they are willing to treat for a lease of all the coals in Cape Breton. M. 96

r 10, Lords of Trade to Sir Thomas Fludyer. Request him to attend in
itehall. respect to his memorial for a lease of the collieries in Cape Breton.
B. T. N. S. vol. 37, p. 410

r 11. Memorial from Florentius Vassal, undertaking to settle the island of Passamaquidda (Passamaquoddy) and 40,000 acres on the continent adjoining the upper part of the bay and river Tatamagushe (Tatamagouche). M. 97, B. T. N. S. vol. 20

A similar application from Lord Catherlough for the Grand Manan and 40,000 acres on the continent. M. 98

A similar application from Lord Falmouth for Isle Madame and 40,000 acres. M. 99

(These three memorials, except the signatures, are in the same handwriting).

r 11. Memorial (undated), from Humphrey Bradstreet, stating his services and soliciting a grant of land to which he is entitled as a reduced officer.
M. 102, B. T. N. S. vol. 20

r 11, Lords of Trade to the King. Recommend that the quit rent be a
itehall. farthing an acre, payable annually at the feast of St. Michael.
B. T. N. S. vol. 37, p. 411

r 14, Order in Council that the Lords of Trade prepare instructions for the
itehall. Governor of Nova Scotia respecting the quit rent.
M. 109, B. T. N. S. vol. 20

r 15, Lords of Trade to the King. In reference to the application of the
itehall. Duke of Richmond for a grant of Cape Breton, cannot recommend that the principle previoulsy laid down shall be departed from.
B. T. N. S. vol. 37, p. 414

r 15, Same to Wilmot. Owing to the questionable proceedings of Robins,
itehall. as stated in his (Wilmot's) letter of 10th December last, and subsequent confirmation of suspicion against him, he is not to be permitted to make an establishment of the nature and in the situation he proposes. He (Wilmot) is not to encourage the return of the Acadians to settle in the Province from which the public security made it necessary to expel them, but if any should return in consequence of the unwarrantable proceedings of Robins, he may grant them small lots amongst the other settlers, provided they take the oath of allegiance and are dispersed in small numbers, so that they cannot create disturbance and annoyance. 416

r 16, Same to Privy Council. Transmit proposed additional instructions
itehall. to the Governor of Nova Scotia respecting quit rents. 419

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May 16. Memorial (undated) of Sir Samuel Fludyer, Sir Thomas Fludyer, Adam Drummond and Anthony Bacon, for 100,000 acres in Nova Scotia, and proposal for a lease of all the coal lands within the grant. M. 110. B. T. N. S. vol. 28

Scheme for improving the coal mines, with a map. M. 111

May 17. Memorial (undated) of M. d'Arrigrand for the confirmation of a grant in Cape Breton, made to him by the Most Christian King. M. 112

A second memorial. M. 113

May 23, St. James's. Order in Council approving of the report which recommended a grant to be made to the Duke of Richmond and others, of the island of Cape Breton, on the same terms as the island of St. John was granted to the Earl of Egmont. N. 1, B. T. N. S. vol. 21

June 2, Halifax. Wilmot to Lords of Trade. Acknowledges receipt of dispatches by Gerrish. N. 43

June 2, Halifax. Same to Secretary of State (Halifax). Has taken measures to rectify the mistaken notions of the French Acadians as to their dependence on France and to clear the character of the Duke de Nivernois from any suspicion of interfering in their behalf. Sends memorial from them in which they have declared their sentiments and infatuation with a considerable degree of insolence; they are joined in this by 300 in the island St. John. N. 44

The memorial to Wilmot (in French) begins: "Les Prisonniers "habitans Acadiens ont eu L'honneur de representer à son Excellence le "29me d'Avril dernier que ne reconnoissant d'autre Souverain que le Roy "de France." They ask, therefore, for vessels and provisions for their transport to their country, to prove to their Prince their devotion to his service, for which they are willing to lay down their lives. N. 45

(The original of the letter is marked N. 44 and another copy of the memorial is marked N. 45, both in the same volume; other copies are in Col. Cor. N. S. vol. 1, pp. 240, 242).

June 5, Whitehall. Lords of Trade to the King. Transmit the names of applicants for lands in Nova Scotia, which they recommend should be granted on the terms and conditions stated. B. T. N. S. vol. 37, p. 422

June 9, St. James's. Secretary of State (Halifax) to Wilmot. Agrees in the danger of a collected settlement of Acadians and that they should be dispersed in small numbers among the other settlements in Nova Scotia; their removal to Quebec would not be eligible or agreeable to themselves nor can that to the ceded islands (West Indies) take place. The King of France will give no encouragement to their application. The King considers the Acadians in the same light as his other Roman Catholic subjects in America; if they are willing to take the oath of allegiance they are to be settled in places agreeable to themselves; if not, the liberty of removing out of the Province, or the King's dominions cannot be denied them as subjects, but he is not to allow them to be carried away by the open attempts, or secret practices, of any foreign power.
Col. Cor. N. S. vol. 1, p. 224

June 19, Halifax. Breynton to the Society for the Propagation of the Gospel. Books received. The answer to Mayhew gives great satisfaction. Wood, by going to Annapolis, has left him (Breynton) fully employed; the numbers rather lessen at Halifax, owing to the increase of farming, &c., but the country grows apace. The inhabitants in and about Halifax are 1,300; members of the Church of England (including 250 Irish suspected Roman Catholics and 250 German and French Protestants) 900; Protestant dissenters 350; constant English communicants 100; French and German 60; births 150; burials 80. Lambeth MSS. 1124–2, fo. 272

June 19, Whitehall. Lords of Trade to Secretary of State (Halifax). The Governor of Nova Scotia writes that the Acadians in Nova Scotia have applied to

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the King of France to move them thence. Should this application be refused and the Acadians be willing to take the oath of allegiance, the Governor asks for instructions. Transmit the letter to the King for consideration. B. T. N. S. vol. 37, p. 427

(Duplicate in Col. Cor. N. S. vol. 1. p. 228).

e 19, itehall. Lords of Trade to the King. Report that the Acadians be permitted to become settlers upon taking the oath of allegiance, that they be dispersed in small numbers and at a distance from St. Pierre and Miquelon, so that they could hold no intercourse with the French there. B. T. N. S. vol. 37, p. 430

e 20, itehall. Same to the Society for the Propagation of the Gospel. For missionaries to be sent among the Indians of Nova Scotia. 430

e 20, itehall. Same to the King. Recommend that the Act for regulating the proceedings of the courts of judicature be disallowed. 432

e 20, itehall. Same to the same. That Jonathan Binney be appointed councillor in Nova Scotia. 434

e 20, isbourg. Moreau to the Society for the Propagation of the Gospel. His health being somewhat restored, he will not use the leave of absence, as those unacquainted with English must be left destitute while he is away. Has applied to the Lords of Trade for an increase to his allowance. His pains with the Indians since the death of Abbé Maillard have not been in vain; he had baptized six of their children and hopes to give most of the Indians the sacrament after he has prepared them. In the last six months, he had baptized 27 children and at Easter had 62 communicants. Lambeth, MSS., 1124–3, fol. 38

e 24, ifax. Wilmot to Lords of Trade. Remarks on the items of the expenditure to which his attention has been called; explains the cause of the expenditures, urges that the whole of the allowance to Lunenburg should not be withdrawn and that assistance should be given towards building a church at Annapolis. Other charges explained. Has no funds to meet emergencies, and the people will not give credit on the uncertain event of an application made in England for the payment; the Province is scarcely able to pay the interest on its debt of £12,000. The zeal of the Assembly to encourage labour, presuming on a fluctuating revenue. Enumerates the payments of bounties; the works the Assembly had undertaken and the salaries they had engaged to pay. To make up for the deficits the Assembly had borrowed and the debt had now accumulated to £12,000. The principal object of the contingent expenses is to supply the Indians with presents to destroy French influence, and the practice has been so long in existence that it cannot be discontinued; if that were attempted, it would produce enmity to the ruin of the new settlements. It is only since the end of the Indian and French wars that the Province has made any advancement. Any renewal of hostilities would drive the people away; the total number of troops is only 500, dispersed in different posts and garrisons, and the Indians exceed 600 fighting men, small parties of whom could carry terror and devastation through the country before the troops could be warned. Recommends the establishment of trading posts. The expense of the survey of Cape Breton and St. John "by the proper officer," with a map. (The map appears to be that in the B. T. collection, vol. 9, No. 35; *in pencil* it is ascribed to H. Coates, but no authority is given. "The proper officer" was Charles Morris). Remarks on the system ordered for the confirmation of grants of land, which is, "That an entry shall be made of the Docquett of every grant in the Auditor's Office, otherways such grant shall be void." There is no such office and never has been, so he desires instructions on this point, on which so much depends. There is, besides, no direction to prevent alienation, a clause which had been hitherto inserted in all grants. Points out the objection to entry money and the pay-

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ment of quit rent at the end of two years and after that annually, under penalty of forfeiture, instead of, as formerly, the first term of payment being ten years and forfeiture for non-payment for three years; other objections are stated. The registrar asks for an allowance for a clerk, which he (Wilmot) recommends should be granted. Respecting the Indians, the illicit trade carried on and the impositions practised on them by the people of New England; to check this, proposes the establishment of truck houses at convenient points. Writs of error refused in cases for small amounts; two associated Judges appointed to sit with the Chief Justice. The increase in the fishery at Canso; the necessity for a light house. Sends duplicates of laws, journals of Assembly and minutes of Council, forwarded on 25th February, with similar documents since that time; the naval officer's returns, Treasury vouchers with abstract of the Provincial funds, description of the island of St. John; letters from the Treasurer and from Moreau, missionary at Lunenburg.

N. 73, B. T. N. S. vol. 21

Enclosed. Reports, estimates, &c. N. 74 to N. 84

The naval officer's returns are in B. T. Naval office lists 1761 to 1765

July 10, Whitehall. Lords of Trade to the King. Report on the proposals to work the coal mines in Cape Breton from Joseph Gerrish (M. 111); William Howe and associates (M. 95); and Sir Samuel Fludyer and associates (M. 110). Recommend the acceptance of the last offer. B. T. N. S. vol. 37, p. 435

July 10, Whitehall. Same to the same. Recommend that Sieur d'Arrigrand, in consideration of his age, &c., receive a grant of not more than 20,000 acres, although under the treaty for the surrender of Cape Breton he has no claim in virtue of the grant made to him by the King of France. 441

July 10, Whitehall. Same to the same. Recommend that Hon. Archibald Montgomery, colonel of the late 77th regiment, receive a grant of 20,000 acres for the settlement of men of his regiment. 441

July 10, Whitehall. Same to the same. Recommend a grant of 20,000 acres to Capt. Thomas Newton and to Philip and John Newton for settlement on the same terms as recommended for previous grants. 443

July 11, St. James's. Order in Council approving of the recommendation of the Lords of Trade, that should the Acadians take the oath of allegiance, they should be allowed to settle in Nova Scotia and that they should be dispersed in small numbers and in situations where they could not communicate with St. Pierre and Miquelon. N. 10, B. T. N. S. vol. 21

July 11, Dearham. Townshend to Halifax. Introduces and recommends Gorham to be appointed Lieut.-Governor of Nova Scotia. Dartmouth Papers.

July 13, Whitehall. Lords of Trade to Wilmot. Dispatches received, Protestant missionaries to be sent to the Indians; he is simply to tell them (the Indians) that the King will attend to their situation. Making presents to the Indians appears to be necessary, but they should be taught to depend on their own industry. Intercourse between them and the French at St. Pierre and Miquelon is to be prevented; the cost of presents to them to be limited to £200 or £250. The question of the admission of Acadians has been submitted to the King. The propriety of appointing assistant judges, when suitable provision for their support shall have been made by the Assembly. Remarks on the Acts passed in 1763.

B. T. N. S. vol. 37, p. 446

(An extract was sent to the Secretary of State on the 18th December. See Col. Cor. N. S. vol. 1, p. 275).

July 16, Whitehall. Lords of Trade to Privy Council. Have submitted to the King the proposal of Howe and associates for the grant of lands in Cape Breton for the establishment of coal mines. B. T. N. S. vol. 37, p. 453

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y 16, Lords of Trade to the King. Transmit proposed instructions relative
itehall. to the permission to Acadians to remain and become settlers in Nova Scotia. B. T. N. S. vol. 37, p. 456

Instructions. 457

y 18. Duts (in French, undated) to Lords of Trade. He and others had been deceived by Stumpel, who had absconded from London, without paying any one, with money advanced by himself and nine others; prays that they may be substituted for Stumpel in the grant for lands in Nova Scotia. N. 11, B. T. N. S. vol. 21

y 20, Society for the Propagation of the Gospel to the same. Thanks for
don. communication of the application by Indians for priests and of the rejection of the scheme. Directions shall be sent to the missionaries to give the Indians such instruction as is possible, consistent with their own immediate cures. (The rest of the letter deals exclusively with affairs in North Carolina). N. 12

y 24, Lords of Trade to Duts, Damase and associates. No provision having
itehall. been made for the expense of passages of emigrants to Nova Scotia, it is unnecessary, in the meantime, to consider their proposals. B. T. N. S. vol. 37, p. 460

y 28, Belcher to Lords of Trade. The case of Joseph Pernette, bills in
ifax. whose favour for £500 had been returned protested. N. 24, B. T. N. S. vol. 21

y 30, Wood to S. P. G. Acknowledges receipt of letters, gratuities, &c.
ifax. Wilkie has read prayers and sermons at Annapolis till he (Wood) can settle there; will catechise the children whom Wilkie has taught. The insufficiency of church accommodation; if a proper church could be begun, the people, he thinks, would contribute to finish it. He proposes to study the Micmac language and to translate the Prayer Book, arranging it in three columns, Micmac in the middle, English and French or English and Latin on each side. As soon as he is able he intends to preach in Micmac; has lately acquired Maillard's manuscripts, which are a help; Governor Wilmot has promised to assist by sending a Frenchman, who is a perfect master of the language. The good effect on the French and Indians of Maillard's friendly intercourse with him (Wood). Lambeth, MSS. 1124-2, fol. 301a

30, Memorial of John Mascarene. No compensation had been received for
lon. his father's services; money compensation having been refused, prays for a grant of 20,000 acres in Nova Scotia. N. 36, B. T. N. S. vol. 21

30, Acadians of Halifax to the Acadians at Pigiguit (in French). A
fax. deputation of five or six men is to be sent to France to know if they can be afforded protection; ask that all should unite in this demand. B. M. add. 19071, fo. 200

ust 10, Wilmot to Lords of Trade. Had drawn in favour of Joshua Mauger
fax. for £1,897, 3s. 6d. sterling, for expenses of Government from 1st January to 30th June last. N. 14, B. T. N. S. vol. 21

ust 29, Same to Secretary of State (Halifax). Several families of Acadians
fax. (about 150 persons) residing about Canso, on being refused leave to go to the island of St. Peter had immediately departed for it. Sends copy of paper from the French Governor of the Leeward Islands to show the method used to withdraw these people. The mortality at Cape François has, however, had a great effect; shall strictly watch their intrigues and motions. On the ineffectual application of the chief of the Indians of Cape Breton for provisions, &c., he had gone to the Isle of St. Peter and is still there with his tribe, where they have been well received; the use that may be made of them by the French. Terms cannot be kept with them in the neighbourhood of the French without expense. N. 46

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Enclosed. Proclamation (in French) of Destamp, Governor of the Leeward Islands, offering a passage, provisions and maintenance till they can support themselves, to all Acadians willing to go to St. Domingo. N. 47 B. T. N. S. vol. 2

(Duplicates are in Col. Cor. N. S. vol. 1, pp. 245. 247).

September 8, Lunenburg. Vincent to the Society for the Propagation of the Gospel. From March to date in margin he had baptized 22, buried 2 and at Whitsuntide had 157 communicants. Cannot be sure of the number of children in school, as they are frequently taken away to assist on the lands. Three years ago, there were 564 children under 12; he has since baptized upwards of 200, exclusive of some on Moreau's register; has only buried three under that age. Lambeth MSS. 1124-3. fol. 15

September 11, St. James's. Secretary of State (Halifax) to Lords of Trade. Transmits letter from the Governor of Nova Scotia, with petition from a great number of Acadians, declaring that they acknowledge no other sovereign than the French King and demanding to be conveyed to some part of the dominions of France. The King desires that their Lordships take the petition into consideration and report what measures should be taken for the peace and safety of the Province. N. 41, B. T. N. S. vol. 2

(For enclosures, see 2nd June).

September 17, Halifax. Wilmot to Lords of Trade. Dispatches and documents received. Had represented the application of the chief of the Indians of Cape Breton to the officer commanding at Louisbourg; on being refused the chief had gone to the Island of St. Peter, where he and his tribe still remain. (In this letter it is stated that this had been reported on the 10th December, but no letter of that date contains such a report; it is in letter of 29th August, 1764). Has published proclamation of fees in the public offices. N. 85, B. T. N. S. vol. 2

September 18, Falmouth, N S Bennett to S. P. G. Refers to previous letters (not received) insisting on the great want of schoolmasters. He now officiates at five places. Thinks the people of his mission in a good degree divested of their prejudices and his congregations daily increase. The extent and difficult situation of his parishes; he rides nearly 200 miles a month to perform his stated duties on Sundays, besides occasional calls. Since March he had baptized 53, one, an adult, and is preparing others. Asks for books and tracts. Lambeth MSS. 1124-2 fol. 30

September 29, Lunenburg. Moreau to the same. Since his letter in June, he had christened four more Indian children, married two couples and expects three more. Numbers of the Indians have promised to receive the sacrament at Easter; the expense attending his work among them. Joseph Perrin will give full information of the state of the mission. Lambeth MSS. 1124-3. fol. 38

October 1, Halifax. Wilmot to Lords of Trade. Has drawn in favour of Mauger for £92 9s. 9d. sterling. N. 1

October 2. Memorial of Mary Magdalen, widow of Edward How, praying that her account be audited and relief ordered. N. 1

October 4, Halifax. Memorial by Zouberbuhler. The circumstances under which he was appointed to guide and direct the settlers at Lunenburg; the danger of his removal at the present juncture. N. 2

October 10, Halifax. Representatives of Lunenburg to Mauger. Orders have been given by the Lords in Trade to strike Zouberbuhler and Creighton from the civil list of Lunenburg. Request him to represent to the Lords of Trade the danger, under the circumstances of the place, of leaving the settlers without leaders. N. 2

October 29, Halifax. Belcher to Lords of Trade. Calls attention to the case of Charles Procter, a bill for £500 drawn in his favour having been protested. N. 2

1764.

List of bills drawn upon the agent for Nova Scotia unprovided for by the estimate for 1763. N. 26, B. T. N. S. vol. 21

ember 5, fax. Wilmot to Lords of Trade. Dispatches respecting Robins received; the pretensions of Robins show his character; he is now at Louisbourg. The plan for Indian trade should have a good effect; proposes two new posts; their situation and those of the posts already established. Had taken measures for assigning places of settlement for the Acadians, where they could do least mischief, and had prepared an oath of allegiance not liable to the charge of being equivocal; this was refused and those about the town were preparing to leave for Cap François, thence to the Mississippi and on to the Illinois, where they are forming a settlement. They have met with difficulties in executing the first measure and are likely to meet with more; will use every proper method to get them to take a true sense of their interest. Encloses the proposed oath. Is having an abstract of the grants prepared. Sends list of the laws passed last session, surveyor's report and memorial of the King's Attorney. N. 48

Enclosed. Lands assigned to the French Acadians with oath (in English) proposed. N. 49

List of laws. N. 50

Report of the Surveyor General on the Eastern coast of Nova Scotia, and Western parts of Cape Breton. Each place is described. N. 51

Memorial of the Attorney General. N. 52

(There is an imperfect copy of the surveyor's report marked N. 53, several gaps being filled up in the report marked N. 51, in different ink from the rest of the report and there are errors in copying.)

mber 9, fax. Wilmot to Secretary of State (Halifax). Has received dispatches the subjects of which he enumerates. According to instructions had prepared a form of oath of allegiance and arranged for settlements, but the French Acadians have refused the oath and demanded ships and provisions for the purpose of removing to Cap François. On this being declined, they were obliged to use their own means, for which they were sufficiently able, having amassed a considerable sum from the profits of their labour. Cannot say what course they will take; in going to the Illinois the lives of many will be destroyed, as lately happened to those from the Southern Colonies going to Cap François, but their removal will be a great relief to the province, and the inhabitants will act with fresh vigour. The French at St. Pierre have nearly completed 300 houses, with other preparations for the fishery, for which they have 300 shallops, besides quantities of fish brought from Newfoundland by fishing boats, 10 or 12 of which were taken; in spite of the vigilance of the King's ships, American traders are carrying supplies to St. Peter. Transmits papers. Col. Cor. N. S. vol. 1, p. 251.

(The enclosures "Lands for French Acadians" and "Oath of allegiance" are duplicates of those in letter to Lords of Trade of 5th Nov., marked N. 49.)

mber 12, ax. Belcher to S. P. G. Thanks for the means taken to advance the interests of religion. Government has withdrawn the allowance to Vincent, so that he has only the £5 allowed by the Society. Urges an increased allowance, as the means at his disposal do not allow Vincent to engage an usher and the allowance for rent has been suspended; asks the Society to interpose for its restoration, so that Vincent may be put on the same footing as other schoolmasters. The extension to Wood from £40 to £70 leads to the expectation that the Lords of Trade will extend the same favour to Breynton, whose zeal deserves acknowledgment.

Lambeth MSS. 1124-3, fol. 36*a*

mber 17, ax. List of papers issued from the Secretary's office.

Col. Cor. N. S. vol. 1, p. 259

1764.

(The list gives the titles of the forms, with the number of the sheets required, thus: "Commission of the Peace, sheet of parchment," &c., &c.).

Return of law instruments from the King's Attorney. 251

(These are given alphabetically).

November 20, Lunenburg. Vincent to the Society for the Propagation of Gospel. His surprise at his salary of £20 as schoolmaster being cut off, without notice and a shilling a day taken from the assistant. Requests that his house rent may be allowed him. Lambeth MSS. 1124-3, fol. 38

November 28, Annapolis Royal. William Shaw to ——— The Acadians have resolved not to take the oath of allegiance, though aware of the distress this will cause them. B. M. add. 19071, fol. 26

December 5, London. Mauger to Lords of Trade. Will petition Parliament for payment of the bills drawn in his favour for money advanced for the service of Nova Scotia, but hopes that their Lordships will themselves make the application. N. 15, B. T. N. S. vol. 21

December 7, Whitehall. Lords of Trade to Wilmot. Transmit order repealing the Act for regulating the proceedings of the Court of Judicature. B. T. N. S. vol. 37, p. 451

December 17, Halifax. Wilmot to Lords of Trade. Had sent particulars of the disposition of the French Acadians after the oath had been tendered to them and a settlement offered. No reasonable proposals would overcome their zeal for the French and 600 persons had left for the French West Indies in vessels hired at their own expense, where they are to settle on and cultivate lands unfit for the sugar cane. In spite of the mortality, the rest have determined to join in spring; thus the Province will be rid of those who have been its bane and the terror of the settlements. The Council, for reasons stated, gave them free liberty to depart. Had leave been refused, they would have gone to St. Peter and Miquelon, where they would have been a most valuable acquisition and a danger to the Province; their removal to the West Indies would prevent that danger. Had lately reported that a settlement was forming at Canso, which would revive the fishery. Last season 35,000 quintals of fish were cured and shipped. Sends reports on the Courts of Judicature and table of fees. Sends charts to show the progress made in the survey of Cape Breton and Canso, the Treasurer's account, the laws passed last session and abstract of the grants of land to 1760. N. 54, B. T. N. S. vol. 21

(The chart of Canso is in B. T. Maps, vol. 9, No. 75; the three maps (76, 77, 78) which should follow have been removed, evidently at an early date).

Enclosed. Accounts of the Courts of Judicature: N. 55

Export of the productions of Nova Scotia for 1764. N. 55 x. 56

The abstract of the grants of land is in Plantations General. vol. 57

December 18, Halifax. Wilmot to Secretary of State (Halifax). To the same effect as the letter of 17th to Lords of Trade.

Enclosed. Extract from letter to Lords of Trade respecting a priest for the Indians; for letter see 10th December, 1763. Extract from answer that no priest should be sent; Protestant missionaries may wean them from their prejudices; for letter see 8th May, 1764, (in French).

December 20, London. Baron Behr (in French) to Secretary of State (Halifax). Encloses commission granted to Stumpel to form a settlement on the St. John River. Stumpel has been arrested on the territory of the Margrave of Anspach, who has been obliged to give him up on the requisition of the King's minister at Hanover, to save Stumpel from further ill usage. A. & W. I. vol. 597, p. 19

1764.

(This is not an exact translation, but is apparently what the writer meant. The French in which the letter is written is very bad).

Enclosed. Order in Council, dated 10th February 1764, granting to Stumpel, described as an officer in the Hanoverian service, 20,000 acres on the St. John River for settlement. A. & W. I. vol. 597. p. 191

1765.
uary 9,
don.

Lamb to Lords of Trade. He sees no objection in point of law to the Acts passed in Nova Scotia in 1763. (The titles of the Acts are given). N. 89. B. T. N. S. vol. 21

uary 23,
asury.

Treasury to the same. Refer memorial by Alexander Grant for relief in consequence of the disallowance of the Act passed in Nova Scotia on the Indian trade, on the faith of which he had supplied goods N. 16

Memorial. N. 17

ruary 1,
don.

Mauger to Lords of Trade. Sends list of bills drawn in his favour but unpaid. N. 21

The list, showing the amount due on bills to be £4,200, on which he considers four per cent interest should be allowed to the date of payment. N. 22

Certificate by Belcher of the amount of the bills he had drawn in favour of Mauger. The bills having been returned protested, he, as the drawer, has been called on for payment. States Mauger's case. N. 23

ruary 6,
itehall.

Lords of Trade to Treasury. In reference to memorial of Grant, contractor for the supply of goods for the Indian trade, give an account of the transactions and recommend, if Grant have suffered loss, he should receive equitable consideration, although the transactions of Lawrence and Belcher in conducting the Indian trade had not been sanctioned by their Lordships. B. T. N. S. vol. 37, p. 462

ruary 9,
Tames's.

Secretary of State (Halifax). Had received from Governor Bernard a copy of the manifesto of the Governor of the French Leeward Islands; his course has been entirely disavowed by the French Court. Col. Cor. N. S. vol. 1, p. 248

ch 4,
itehall.

Order in Council referring for consideration and report the petition of Hutchison Mure and others for grants of land in St. John Island, on the faith of which they had incurred large expense, for such relief as might seem meet to His Majesty. (Copy of the memorial is attached). N. 31, B. T. N. S. vol. 21

ch 4,
itehall.

Estimate of expense for civil government in Nova Scotia for 1765. B. T. N. S. vol. 37, p. 467

ch 8,
itehall.

Memorial (undated) of Richard Cumberland for orders to pay sums amounting in all to £725, for the service of Nova Scotia. (The order for payment was made on the date in the margin). N. 29, B. T. N. S. vol. 21

ch 11,
don.

Certificate by Cumberland, that he had examined Mrs. How's account and recommends payment, she having lost many vouchers, the possession of which would have enabled her to claim a much larger sum. The account given in detail is signed by Mrs. How, dated 27th February, 1765. N. 30

ch 11,
don.

Hutchison Mure and others for one township, instead of the four previously offered, their acceptance of Lord Egmont's plan being held to have broken the first agreement. N. 32

ch 14,
nburg.

Vincent to S. P. G. Has received instructions relative to the Indians, which he has distributed to the different missionaries. The reduction of his salary by the Council at Halifax has made his position difficult; as he can now only superintend he is willing to resign as schoolmaster and the salary of £20, but implores that the house rent may be allowed him. Lambeth MSS. 1124-3, fol. 66*a*

1765.
March 18, Whitehall. Lords of Trade to Privy Council. Recommend the rejection of the prayer of the petition of Hutchison Mure and others, for compensation in respect to loss on proposed settlement of the island of St. John.
B. T. N. S. vol. 37, p. 462

March 20, Whitehall. Same to Treasury. Transmit account of expenses for Nova Scotia, in the years 1750, 1751, 1752, 1762 and 1763, not provided for; if approved, their Lordships desire to submit the expenses to Parliament.
471

Account. 472

See also pp. 519 to 522, in the same volume.

March 21, Treasury. Treasury to Lords of Trade. They are to lay the amounts unprovided for in the estimates for Nova Scotia before Parliament.
N. 33, B. T. N. S. vol. 37

March 23, St. James's. Secretary of State (Halifax) to Wilmot. The 29th and part of the 59th Regiment to relieve the 40th in Nova Scotia and part of the 45th at Louisbourg. Col. Cor. N. S. vol. 1, p. 283

March 23. Memorial of the inhabitants of King's county, that the Acadians may be allowed to remain for the summer, to assist in carrying on agriculture and improvements. B. M. add. 19071, fol. 215

April 1, Annapolis Royal. Wood to S. P. G. His rapid progress in the Micmac tongue; is preparing a grammar; has been able to read prayers in Micmac, so that the Indians understood. Good conduct of Wilkie, catechist. Wilmot is to recommend the Lords of Trade to grant help towards building a church. Lambeth MSS., 1124-3, fol. 87a

April 29, Halifax. Vincent to the same. Two letters, one dated 29th April, the other 31st May, at Lunenburg. The Germans desirous to introduce a German minister and have prepared timber for a meeting house, but the young people seem averse to the scheme and the Governor discourages it. Neumann continues to do his duty in the school. He (Vincent) from Michaelmas, 1764, to Lady Day, 1765, baptized 29, buried 6, and married one couple; his communicants at Christmas were 38, at Easter, 107. On the last Sunday in May he preached to an audience of about 500 and had 127 communicants. His ill-state of health. fo. 89

April 30, Halifax. Wilmot to Lords of Trade. Arrival of persons from Pennsylvania and southern colonies on behalf of associations, to view the land for the settling of Germans and on behalf of the merchants to obtain products to exchange for British commodities. They have engaged the services of McNutt, who had produced a grant to the terms only of which the proposers will agree, but it differs from his (Wilmot's) instructions, so that he will do nothing till he has their Lordships' directions, whether the accession of a beneficial class of people would not be of more advantage than any that could be derived from the difference in the terms. Has in the meantime reserved land; his condition, that one-fourth of the people shall be settled each year, has been accepted. The settlers McNutt has introduced have been of great utility, a frugal and industrious people. N. 66, B. T. N. S. vol. 21.

Blank form of grant, with the Governor's remarks. N. 67

(A copy, with interlineations, apparently by McNutt, is marked N. 65. They should both be available for comparison).

Application for lands by McNutt and others, for 21 townships of 100,000 acres each. N. 68

Regulations in West Florida for the Indian trade. N. 68 x 69

Export of the productions of Nova Scotia for 1764.
Col. Cor. N. S. vol. 1, p. 286

(Compare duplicate of letter with enclosures in Col. Cor. N. S. vol. 1, beginning at p. 280).

May 2, Halifax. Wilmot to Secretary of State (Halifax). The first part is similar to the letter of 30th April to Lords of Trade. The growing importance

1765.

of the fishery at Canso: a town laid out; is it to be put in a state of defence? Sends account of what was done last year, and of the exports during that time. Col. Cor. N. S. vol. 1, p. 277

(Enclosures as in letters to Lords of Trade, 30th April).

29, James's. Order in Council, referring for consideration and report, petition of Otho Hamilton for the grant of 100,000 acres. O. 16, B. T. N. S. vol. 22

(*Endorsed.* "Received and read 15th May, 1765," apparently an error for 1767, all the other papers in the volume having been considered in 1767 and 1768. The petition and other documents accompany the reference).

30, don. Memorial of Cumberland, agent for Nova Scotia, for authority to receive the amount voted by Parliament (£4,911 14s. 11d.) to be applied to the service of the Province. N. 34, B. T. N. S. vol. 21

A similar application was made for £7,000 for the service during former years. N. 35

31, mburg. Vincent to S. P. G. See 29th April.

14, fax. Bennett to the same. The inhabitants of King's County are much more reconciled to the mode of worship; need of a resident clergyman. Since his last he has baptized 27 infants and is preparing two families of 13 persons, mostly adults, for baptism. In twelve months he has married 14 couples, and has had only six burials since his arrival. Hears that two young gentlemen are to be ordained among the dissenters at New Haven for Horton and Cornwallis, who would soon have to retire were a missionary sent. Ineffectual attempt to get schoolmasters, owing to the small allowance. Is Windsor, formerly Falmouth, under his care? The Indians in King's County are few and behave well, and if no Romish priest be suffered amongst them they are not likely to be troublesome; is learning French to be of greater use to them.

Lambeth, MSS. 1124-3, fol. 89*a*.

14-18, fax. Breynton to the same. Thanks for gratuity for his services in 1762. Opportunity has arisen to make a favourable impression on the Indians, the Acadians being removed. A young single gentleman of good constitution, who would learn their language and converse freely with them would be of great service. Hears that they have been promised a Romish priest. Ill state of Vincent's health; his successor should be a German, able to officiate also in English; this is recommended by Belcher and approved by Francklin and Bulkeley. Recommends that Francklin be made a member of the Society and asked to look after the conduct of the missionaries. fo. 88

17, fax. Wilmot to Secretary of State (Halifax). Has received dispatches respecting the relief of the 40th and part of the 54th regiments.

Col. Cor. N. S. vol. 1, p. 287

20, tehall. Memorandum by Cumberland (undated) of the manner in which he proposes to distribute the £7,000 voted by Parliament for unprovided items for Nova Scotia. The proposal was approved of on the date in the margin. N. 37, B. T. N. S. vol. 21

24, tehall. Lords of Trade to Wilmot. Send estimate of expenditure and distribution of money voted for the civil government of Nova Scotia. It may be necessary to incur some additional expense, especially as regards the Indians which should be met by the Province. As, however, the Provincial funds are mortgaged for a heavy debt, his bills on account of expenditure for the Indians shall be honoured. B. T. N. S. vol. 37, p. 473

Distribution. 476

24, tehall. Lords of Trade to Cumberland. Send him estimate and distribution of expenses for Nova Scotia, to guide him in his payments. 478

5, James's. Order in Council for report on the petitions of Lewis Morris, of New York for 10,000 acres in Nova Scotia. O. 16 x 17, B. T. N. S. vol. 23, No, 6

1765.

The same on petition of Michael Kearny, Captain R. N., for 10,000 acres in Nova Scotia. O. 16 x 17, B. T. N. S. vol. No. 2

September 21, Lunenburg. Bailly to S. P. G. Sends certificate of his faithful discharge of the duties as schoolmaster to the French; attendance from 10 or 12 to 20 or more; reading, writing and church catechism taught. Moreau is satisfied with the instruction of the young persons presented for communion. Lambeth. MSS., 1124-3, fol. 153

September —, St. James's. Conway to Lords of Trade. Sends for consideration and report extract from letter from Gage, enclosing petition from Stephen Landry, one of the late neutral inhabitants of Nova Scotia. N. 38, B. T. N. S. vol. 21

Enclosed. Extract from Gage, dated New York, 10th August. N. 39

Memorial from Landry on behalf of himself and his countrymen in Maryland and Pennsylvania, for leave to settle in Nova Scotia or Quebec, but by preference in Gaspé or the Bay of Chaleurs. N. 40

October 8, Lunenburg. Moreau to the Society for the Propagation of the Gospel. At Lunenburg there are at least 500 Indians, besides those of the River St. John; the expense on account of the numbers who gather at a marriage or christening; the precautions taken whilst they are in Lunenburg. This year they have mostly retired to the island of St. Peter, to meet the French priests, but are beginning to return; he (Moreau) is doing all he can to bring them to the knowledge of the true religion. Vincent left for London on the 17th September, having been unfit for duty for six months, during which time he (Moreau) did all he could for him. The Germans propose to build a place for public worship and are more averse to the services of the Church of England than formerly; the French, on the contrary, entirely conform to them; asks for French catechisms. His French congregation consists of 46 families, having 151 children under 15 years of age and between 50 and 60 communicants; has also several English and German families. In the last six months he has baptized 19 children, German and French, married 7 couples, buried two children and three grown persons. Lambeth MSS. 1124-3, fol. 127

October 9, Halifax. Wilmot to Lords of Trade. Transmits Acts and journals of Assembly. One of the Acts restricts the number of representatives to one for each township. Arrival of 20 German families from Philadelphia, to settle on the north side of the Bay of Fundy; such a settlement is necessary to overawe the Indians and to maintain the tranquillity of the internal parts of the Province. Expects a number of disbanded soldiers to settle on the St. John. These settlements are undertaken by persons of sufficient circumstances. Gathering of Indians on the Baie Verte to meet the priests, to have marriages and baptisms celebrated and to receive absolution. The influence this gives the French priests; the necessity of having priests on whom Government can rely; any attempt to convert Indians by Protestant missionaries will only exasperate them and may be fatal to the settlements. Sends memorial from Breynton, the oldest missionary in the Province, also an estimate for the ensuing year. N. 69, B. T. N. S. vol. 21

Enclosed. Memorial from Breynton. N. 70

Estimate for 1766. N. 71

October 10, London. Lamb to Lords of Trade. Sees no objection to the laws passed in Nova Scotia in 1764, but remarks on the Act to amend the Act to enable the Treasurer to borrow an additional sum to that authorized by the original Act which had not been submitted to him. N. 90

October 11, Halifax. Breynton to S. P. G. Sends copy of memorial to Wilmot, that he (Breynton) should be put on the same footing as other missionaries. Repeats his recommendation that the missionary to Lunenburg should be qualified in German as well as English, which would preserve 1,200 Germans to the Church of England, besides thousands daily expected.

1765.

Asks for a grant for the organ. Reports the death of Vincent on 15th November (*sic*) and recommends his widow.

Lambeth MSS. 1124-3, fol. 152*a*

(Vincent left for London on 17th September, according to Moreau's letter of 8th October).

tober 12, lifax.

Wilmot to H. S. Conway. Has received notice that he (Conway) has been appointed Secretary of State. Col. Cor. N. S. vol. 1, p. 288

tober 15, napolis yal.

Wood to S. P. G. Thanks for the £10 and for the Greek and Hebrew lexicons and grammars. Asks for the assistance of Roma, who had lived many years with Abbé Maillard and can decipher his characters; he could then make greater progress, but even without this he will go on with the grammar. Were Roma and his family allowed a ration each, that would bring him to Annapolis. Cannot ascertain the number of Indians as they seldom stay a month in a place. The principles they have imbibed from the French will wear off, if no more French priests are allowed among them. Wilkie is going on well with his school. Morrison has opened a school at Grandville; recommends that he be engaged as one of the Society's schoolmasters.

Lambeth MSS. 1124—3, fo. 151*a*

tober 24, lifax.

Grant of part of an island on the South side of the Miramichi to William Davidson and John Cort. A. & W. I. vol. 597

(The grant is endorsed as made by Governor Wilmot. The seal attached is broken in pieces and the inscription obliterated).

tober 28, lifax.

Wilmot to Lords of Trade. Has drawn in favour of Mauger for £1,504 16s. 1d., as by abstract sent. N. 57, B. T. N. S. vol. 21

vember 8, itehall.

Lords of Trade to Secretary of State (Conway). Transmit copy of their representation to the King on the petition of Stephen Landry, late one of the neutral inhabitants of Nova Scotia. B. T. N. S. vol. 37, p. 479

The representation follows, giving the history of the refusal of the French Acadians to take the oath of allegiance and their determination to adhere to France. They have now all left but a few families who have retired to Gaspé and the Bay of Chaleurs, where they keep up an illicit commerce with the French. It would not, therefore, be desirable to permit Landry and his associates to return to Nova Scotia, or to settle in Quebec; steps should also be taken to remove the settlers at Gaspé, &c., further inland, to prevent them from continuing their connection with the French. 480

(Landry's memorial was sent by the Secretary of State (Conway) to the Lords of Trade in September,——, with extract from letter from Gage. A letter from Murray, dated 9th March, 1764, referred to in letter from the Lords of Trade is among the Canadian Archives, Series Q. vol. 2, p. 78).

vember 19, lifax.

Wilmot to Lords of Trade. By the death of Vincent, missionary to Lunenburg, another is necessary, who should know German and English, so that the distinction, arising from difference of customs, &c., may be forgotten. The laying on of the stamp duties has taken place here without opposition or objection. Has heard, however, of marks of discontent at a place called Liverpool, settled by New Englanders, but without violence or outrage. N. 56, B. T. N. S. vol. 21

(An extract respecting the stamp duties was sent to the Secretary of State on 7th January, 1766).

vember 20, ndon.

Lamb to Lords of Trade. Sees no objection in point of law to the additional laws passed in Nova Scotia in 1764. N. 91

1766.
uary 7, itehall.

Lords of Trade to Secretary of State (Conway). Transmit extract from letter from Wilmot respecting the reception of the Stamp Act, dated 19th November, 1765, which see for extract.

Col. Cor. N. S. vol. 2, p. 1

1766.
January 24, London. Memorial (undated) from Cumberland to Lords of Trade for approbation of payment of salaries to the Governor, &c., of Nova Scotia.
N. 58, B. T. N. S. vol. 21

January 27, Windsor. Bennett to S. P. G. Arrival of two dissenting ministers from New England for Horton and Cornwallis. There being no church family at Horton, he has given up his visits there, in accordance with notice from the inhabitants. At Cornwallis, he and the dissenting minister take the services alternately. Has baptized 20 children and four adults; the latter admitted among the communicants making an increase of 30. Has not received his salary; if it be withdrawn he must ask for removal.
Lambeth MSS. 1124-3, fol. 181a

January 27, Halifax. Belcher to the same. Laments the death of Vincent; agrees with Breynton as to the necessity for a missionary at Lunenburg qualified in German as well as in English; recommends Vincent's widow for consideration. The smallness of Breynton's allowance and the refusal to pay Bennett deserve the attention of the Lords of Trade. Bennett's arduous labours; there is no schoolmaster in his cure, so that the £20 appropriated for King's County might be transferred to Halifax. fol. 182

January 31, Halifax. Memorial (undated) from Joseph Bennett, missionary for King's County, for payment of two years' salary (recommended by Wilmot on the date in the margin). N. 87, B. T. N. S. vol. 21

February 9, Halifax. Wilmot to Secretary of State (Conway). Had received instructions as to his conduct in Nova Scotia, should the example of outrage and violence gain influence there. His singular satisfaction that the subjects there have submitted without opposition to the authority of Parliament. Governor Bernard has not yet made any application for assistance, but he shall not be wanting in prompt obedience should there be any occasion. Col. Cor. N. S. vol. 2, p. 4

February 10, St. James's. Order in Council referring for consideration and report the petition of Benjamin Franklin, LL.D., for 20,000 acres in Nova Scotia.
O. 16 x 17, B. T. N. S. vol. 23, No. 2

February 13, Halifax. Wilmot to Lords of Trade. Shall attend to instructions to reserve more lands for fuel. The scarcity of specie renders it impracticable to obtain cash for bills of any considerable value to pay the salaries. Can only obtain money for bills of small value, so that he cannot draw as directed for the quarter's expenses. Will, therefore, draw for each officers salary, taking care not to exceed the amount voted. Complains of delay in the delivery of letters. Recommends William Spry to succeed Alexander Grant in the Council. N. 86, B. T. N. S. vol. 21

February 19, Treasury. Treasury to the same. Refer memorial of Gerrish, for payment of his account, for consideration and report. N. 60

Memorial follows, with documents in support of his claim, as commissary for the Indian trade. N. 61

February 28, Whitehall. Lords of Trade to Treasury. The amount stated in Gerrish's memorial to be due to him is correct, according to the audit; the Treasury to give such orders for the payment as may be considered proper.
B. T. N. S. vol. 37, p. 489

March 4, St. James's. Secretary of State (Conway) to Governor of Nova Scotia. Recommends to his good offices Hutchison Mure and others who have applied for grant of St. John Island. Col. Cor. N. S. vol. 2, p. 3

March 6, Whitehall. Estimate of the charge for the civil establishment of Nova Scotia.
B. T. N. S. vol. 37, p. 492

Particulars follow. 494

March 10. Memorial of McNutt to Lords of Trade. He has now 12,000 settlers ready to enter upon lands. The terms settled by the Board in 1763 and confirmed by His Majesty were, that they should have liberty to choose their own representatives and town officers annually by ballot and in giving evidence those who shall choose may be permitted to hold up

1766. their hand instead of any other form. Applies for a charter for a city he intends to build at Cape Sable. He has been surveying parts of Nova Scotia at a cost of £1,400. Has a vessel waiting at Liverpool and has three other vessels with whale boats, which will remain unemployed till he returns to America; asks, therefore, for a speedy decision. Dartmouth papers.

ril 5, nenberg. Moreau to the Society for the Propagation of the Gospel. Since the death of Vincent, the Germans, a few old people excepted, appear disposed to join the Church of England, particularly if a missionary is supplied able to preach in German. A fit of the gout prevented him (Moreau) from celebrating the Communion at Easter, to the great disappointment of many Germans; his arrangements in consequence. Baptized an Indian child in October, but is afraid that will be the last as two French Acadians have taken it on themselves to baptize, marry, &c., among the savages. Good character of Bailly the French schoolmaster. In the last six months he (Moreau) baptized 47 children, married 12 couples and buried five aged persons and some small children.
Lambeth MSS. 1124-3, fol. 221

ril 10, nenburg. Bailly to the same. Had last winter from 26 to 30 scholars, who were taught reading, writing, psalmody, and twice daily repeat the catechism, which he has been obliged to transcribe for want of printed copies. In summer the elder children attend to husbandry. 222

ril 8. Memorial (undated). Ann, wife of James Doble, for self and husband. Complains of Governor Francklin that he has prevented her and her husband from obtaining a grant of two lots, which they had cleared in virtue of the proclamation. N. 62, B. T. N. S. vol. 21

il 10, itehall. Lords of Trade to Wilmot. Transmit memorial of Mrs. Ann Doble, for a grant of two lots at Halifax, improperly withheld. If, on examination, he finds the facts to be as stated, he is to pass a grant for the lots without further directions. B. T. N. S. vol. 37, p. 523

ril 14, itehall. Same to the King. Recommend that Joseph Gorham should succeed in the Council Alexander Grant, who has resigned. 491

ril 17. Memorial of McNutt respecting his proposed settlements in Nova Scotia, and the obstructions he had met with from the Governors, since the death of Lawrence. N. 63, B. T. N. S. vol. 21
(Duplicate among the Dartmouth papers).
Enclosed. Proclamation by Lawrence in 1759, of the conditions for settling the lands. N. 63x64
Liabilities of McNutt. N. 64
Blank form of grant. N. 65

ril 18, asury. Treasury to Lords of Trade. To prepare a statement for Parliament of the money expended by Gerrish for the service of Nova Scotia. N. 88

ril 28. Proposals from Alexander McNutt for introducing settlers into Nova Scotia. N. 72
(Undated. The date in margin is on a copy among the Dartmouth papers).

y 1, onshire et. Alexander Hay to Secretary of State (Dartmouth.) His services during the rebellion of 1745, when he was the means of saving the life of the Duke of Cumberland. His losses on account of his zeal for the King's service, which compelled him to fly from Scotland, and come to London to the protection of the Duke of Cumberland. Desires to settle lands in Nova Scotia. Recommends Francis White, a chairman to Lady Dartmouth, for employment in the Customs. Dartmouth papers.

y 6, ifax. Wilmot to Lords of Trade. The inhabitants of Louisbourg wish that the Rev. Mr. Kneeland, now chaplain to the 59th regiment, be appointed missionary to Cape Breton. N. 97, B. T. N. S. vol. 21

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(A copy of this letter was sent to the S. P. G. See Lambeth MSS. 1124-3 fol. 219 *a*.)

May 6, Halifax. Wilmot to Lords of Trade. For leave of absence on account of ill health. N. 96, B. T. N. S. vol. 21

May 6. Proposals from McNutt, suggesting that if it be desired to postpone a settlement of the privileges asked for by him till the wishes of the people interested are known, he should be authorized to collect and transmit their sentiments. Dartmouth papers.

May 12, St. James's. Order in Council for report on petition of Richard Williams, late Lieutenant in the 80th regiment. O. 16 x 17, B. T. N. S. vol. 23, No. 7

May 15, Whitehall. Lords of Trade to the King. Transmit plan of the manner in which settlements should be made in Nova Scotia, by associated companies. B. T. N. S. vol. 37, p. 496

May 16, Whitehall. Same to Wilmot. Dispatches received. Their Lordships have sent to the King considerations on the proposals of McNutt and others for settlements; he is to take no steps on these or other proposals until His Majesty's decision shall be known. They regret that grants had been produced by McNutt to himself and others, not resident in the Province, not in conformity with instructions and without reasons given for the deviation. This unwarrantable proceeding should at once be explained and all the steps since the beginning of his administration in respect to the granting of lands, an account which should have been transmitted long ago. Send copy of the estimate and details of the amount voted by Parliament for the civil establishment of Nova Scotia for 1766. Respecting the method of drawing bills. The expediency of allowing a proper number of Roman Catholic priests to be licensed to officiate among the Indians, but the predecessors of the present Board having adopted a different plan and recommended it to the Society for the Propagation of the Gospel, the matter must rest as it is till further consideration; in the meantime, no priest is to officiate among the Indians without the permission of Government, and they desire to know the extent of the promises made to the Indians on that head. Major Gorham appointed to the Council. 505

May 16. *Endorsed.* "Reasons ag't the reservation of timber." It prevents the clearing of land by the farmers and acts against the fishing industry, as the fishermen are not allowed to use enough to build a fishing vessel and the settlers are entirely at the mercy of informers, ready to swear anything. To the farmers it makes little difference what kind of timber is reserved whether "white pine, gopher, or shittim wood." The reasons are given in by McNutt, acting for the settlers, who also applied for two ports of entry and discharge, one at Jerusalem, the other at Pictou, as it is a great loss to the owners of ships to be obliged to go to Halifax and much greater loss to the settler. The obstacles the reservation places in the way of ship building to the advantage of Archangel, where fir ships are built annually for British and Irish account. The effect of the reservation is to drive the farmers to cut down the young trees before they reach the prohibited girth. The caution to be observed in making these reservations; those who have no intention to settle will accept lands on any terms, but settlers must be more careful. Dartmouth Papers

May 26, Halifax. Benjamin Green to Secretary of State (Conway). Death of Wilmot on the 23rd; the Government has devolved on him (Green). Col. Cor. N. S. vol. 2, p. 3

May 26. "Hints" by McNutt to Secretary of State (Dartmouth) for his consideration "as heads of some of the articles of Instructions to the Governor of Nova Scotia". The "hints" are to give McNutt leave to survey and lay out townships any where not already under actual settle-

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ment; the grants to be made out to McNutt and his nominees; the fees for each township not to exceed £20. Dartmouth papers.

ril 29, hitehall. Lords of Trade to the King. Recommend that two Acts of Nova Scotia be assented to. B. T. N. S. vol. 37, p. 516

ay 31, lifax. Green to Lords of Trade. Death of Wilmot, &c., as in letter to Secretary of State on 26th. N. 93, B. T. N. S. vol. 21

ay 31, napolis yal. Wood to S. P. G. His son-in-law, Lieutenant Shaw, of the 40th, who was educated for holy orders, would willingly resign his commission, be ordained and appointed to a mission; recommends he should be sent to Grandville, being first ordained at Waterford, Ireland, where he is now stationed. Lambeth, MSS. 1124-3, fol. 220*a*

Minute of the Society refusing the application. fo. 221

ne 18, hitehall. Secretary of State (Richmond) to the Governor of Nova Scotia. On a representation from Colville, commander of the fleet on the North American station, of the evils caused by the number of licensed houses in causing desertion, &c., among the seamen, he is to revoke the licenses in the neighbourhood of the dockyards. Col. Cor. N. S. vol. 2, p. 6.

ne 18. Memorial (undated) of McNutt for additional privileges to settlers, to those he asked for in April last. (For this letter see 17th April marked N. 63). N. 92, B. T. N. S. vol. 21

ne 23. Thomas Day to Secretary of State (Dartmouth). Applies for a situation; is willing to go any where. Dartmouth papers.

ne 30, ndon. Lamb to Lords of Trade. Sees no objection in point of law to the Act passed in Nova Scotia for the issue of small notes. O. 7, B. T. N. S. vol. 22

ly 10, hitehall. Secretary of State (Richmond) to Lords of Trade. To prepare commission and instructions for Lord William Campbell, appointed Governor of Nova Scotia, in succession to Wilmot. N. 94, B. T. N. S. vol. 21

ly 10, uisbourg. Kneeland to S. P. G. Reports the state of religion in Cape Breton, the total population of which is 1,000 of whom 500 are in Louisbourg, 120 being under 14 years of age. There has never been a resident clergyman but an army chaplain, nor a properly qualified schoolmaster. Half of the inhabitants are papists, but even they express the desire for a clergyman and a schoolmaster. He (Kneeland) has 30 catechumens and holds regular services. The Council of Nova Scotia is ready to give a parsonage house and glebe. Lambeth, MSS. 1124-3, fol. 253*a*

ly 14, nenburg. Neumann to the same. Reports the state of his school; 26 pupils. There is no other school near except Bailly's. fol. 254*a*

ly 17, ndon. Memorial (undated), with statements, by Cumberland for a warrant to pay the sums specified. N. 95, B. T. N. S. vol. 21

ly 22, hitehall. Lords of Trade to the King. Send draught of commission to Lord William Campbell, the only alteration being in what relates to the oaths of abjuration and allegiance. B. T. N. S. vol. 38, p. 1

Commission, 11th August, follows. 2

ly 24, hitehall. Lords of Trade to Lieutenant-Governor Francklin. Send Order in Council, with assent to two bills. B. T. N. S. vol. 37, p. 525

ly 27, lifax. Wood to S. P. G. Has sent some Micmac papers to be printed, remarks on the character of the language. Lambeth MSS. 1124-3 fol. 241*a*

gust 1, hitehall. Lords of Trade to the same. Send copy of letter from the late Governor of Nova Scotia, and ask the Secretary to recommend it to the Board. B. T. N. S. vol. 38, p. 130

(The letter referred to is dated 6th May, which see.)

gust 5, lifax. Green to Secretary of State (Conway). Had received dispatch of 31st March, with copies of two Acts, which he had communicated to the General Assembly, sends their address in acknowledgment to be laid before the King. Col. Cor. N. S. vol. 2, p. 85

Enclosed. Thanks for repeal of the Stamp Act. 87

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August 24, Halifax. Green to Lords of Trade. Sends report on the state of the Province, with documents. Abstract of population in the new settlements; their progress has been as great as could well be expected; their experiments in the culture of hemp, &c., their experience has now enabled them to take advantage of the soil and climate. The fishery at Canso and at the towns on the western coast is well established; the fish cured for exportation this year will not be less than 30,000 quintals; vessels for fishing and the foreign trade are being built. Agreement come to with promoters of German settlement; abstract of land granted, &c. Indians complain of the want of means to carry on their religion, which is the cause of their keeping up communication with St. Peter and Miquelon, and the refusal of presents would probably drive them to fatal extremities, in which case the troops (450 in number) could not defend the settlements. Has given presents to the amount of £102 15s. 9¾d. of which account is sent and an estimate of articles wanted for this service. Already the presents have put the Indians in good humour, and a western tribe has turned its attention to fishing and agriculture, in dependence on the friendly disposition thus shown. States the reasons alleged by the Assembly for their inability to provide for contingent expenses. Their revenue is £4,000, their expenditure £2,500, leaving only £1,500 for the reduction of the debt. Transmits the proceedings of the Court of Quarter Sessions for Halifax County. Transmits Naval Officer's returns. Liabilities on account of the Indians during the administration of Belcher and Wilmot are still unpaid. Has refused grants of land on terms inconsistent with instructions. Remonstrance by the principal inhabitants against the repeal of the Act for preventing all the scum of the Colonies from being admitted to the Province; since the repeal it has been inundated with persons who are not only useless but burdensome, subjecting the inhabitants to a grievous tax, the passages of persons from gaols, hospitals and workhouses being paid by other Colonies. Dispatches received which he had transferred to Francklin appointed Lieut.-Governor. N. 98, B. T. N. S. vol. 21

Enclosed. Report of the state of the townships, with the number of inhabitants given separately in each county. The total population 11,272; about 50 persons come annually to Passamaquoddy to fish; about 500 neutral French are scattered through the country and along the sea shore; of Cape Sable, Micmac, St. John and Passamaquoddy Indians about 1,500, of whom 550 were fighting men. N. 99

Goods supplied to the Indians. N. 101

Estimate of goods required for next year. N. 102

Proceedings of Quarter sessions. N. 103

The Naval officer's returns are in Naval Office list 1761 to 1765.

The state of grants of townships with the number to be settled in each. The return shows the names of the grantees, the date of grant and quantity; in what part of Nova Scotia; the number to be settled in each of four years (1766 to 1769). There are two copies of this return, one in Col. Cor. N. S. vol. 2, p. 28, the other in Plantations General, vol. 57. A duplicate of the letter from the Lords of Trade, with enclosures, is in Col. Cor. N. S. vol. 2 beginning at p. 9).

August 24, Halifax. Francklin to Lords of Trade. Sends schedule of bills drawn. N. 104. B. T. N. S. vol. 21

Enclosed. Schedule. N. 105

(Duplicates are in Col. Cor. N. S. vol. 2, pp. 60, 61 where is an estimate of the civil establishment for 1767, p. 65).

August 30, Whitehall. Lords of Trade to the King. Send draught of general instructions to Lord William Campbell, which are not altered from the usual form, except as respects the transmission of correspondence and the manner in which the state oaths are to be taken. The instructions on trade must

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be reviewed, owing to changes in the three last sessions, so that they cannot be sent till a report be received from the Customs.

B. T. N. S. vol. 38, p. 32

Instructions follow. 35

September 2, Halifax. Francklin to Lords of Trade. Has received his commission as Lieut.-Governor and the papers from Green. Explains the circumstances complained of in the memorial of Mrs. Ann Doble (see 8th April); encloses advertisement and minutes of Council on the conditions prescribed, also proceedings of Council on the matter of Doble and the valuation of the improvements. Details of the negotiations with McNutt and the reasons for finally making grants, with a reserve of coal lands the inclusion of which in the grants had been asked for but refused. Sends a formal representation on McNutt's memorial, which will show a different state of affairs from that represented. His (McNutt's) refusal to produce a list of the persons settled, although he had received 15,000 acres on that account at St. Margaret's Bay, 10,000 acres at Chigonois (Chigonaise or Ishgonish); 2,000 acres at Petit Passage and 9,000 acres in the county of Cumberland; he complained of the reservation of the coal mines, but the list of grants transmitted will show he had great encouragement. (For this list, see Col. Cor. N. S. vol. 2, p. 28, or Plantations General, vol. 57). Asks as to the enforcement of rules for granting lands; complaints of the inhabitants of Louisbourg of suffering from the want of grants and that they are subject to duties without being represented in the Assembly, as on the island being annexed to Nova Scotia they were represented by members for the county of Halifax. The difficulty of finding suitable persons to make judges of the Court of Common Pleas and to form juries. Sends copies of laws and of the journals of Assembly, also memorial just received, relating to Doble's proceedings.

N. 106, B. T. N. S. vol. 21

Enclosed. Memorial of Hinshelwood for Lieut. Trevor Newland, in reference to Newland's lands, which it is proposed to declare forfeited for non-fulfilment of the conditions, and other documents relating to Doble's claim. N. 107

Report of the Committee of Council on McNutt's claim. N. 108

Form of a grant of land in Nova Scotia. N. 109

Estimate of the civil establishment in Nova Scotia for 1767. N. 110

List of laws passed at the last session. N. 110 x 111

September 3, Halifax. Francklin to Lords of Trade. Had dispatched various returns, &c., by H.M.S. "Romney" on the 5th instant. The nature and extent of the promises to the Indians respecting priests. The influence the French exercise over the Indians, who were last summer collected in a body on Isle Madame, near the head of the La Brador (Bras d'Or). As they passed on their way, they declared they were to meet French forces and threatened to destroy the out settlements on their return. The alarm of the inhabitants who were under arms part of the time; how the Indians were dispersed. This year they again assembled, but not to the same number; some of them have declared they will allow no settlement at Pictou or along the coast nearest to the island of St. Peter, but they dispersed on the arrival of a Canadian priest from the Bay of Chaleurs. They are determined to have priests, whether permitted or not; by their communication with Miquelon and St. Peters, they will, if that is not prevented, continue their attachment to the French and be under their directions to fall on the settlements, whenever the French are ready to support them. The destructive effects of having a rupture with the Indians at this time; asks, therefore, for permission to apply to the Governor of Canada to select one or two priests for them. Had written to Palliser to try to stop communication between the Acadians and the French at

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Miquelon. Respecting the payment of presents for the Indians, a large part of which is still unpaid. N. 111, B. T. N. S. vol. 21

Enclosed. Abstract of unpaid demands. N. 112

Abstract of demands for the Indians. N. 113

(Another copy is in Col. Cor. N. S. vol. 2, p. 67 and at p. 118 is another, dated the 13th, which appears to be the correct date, as the "Romney" sailed on the 5th, as reported in letter ostensibly written two days before that date).

September 4, Halifax. Wood to S. P. G. Respecting the Micmac grammar. Lambeth MSS. 1124-3 fol. 254

September 4, Halifax. Breynton to the same. Books, &c., received. The inhabitants pleased with the steps taken with regard to the Indians, who, he is persuaded, will soon be brought to listen to instruction. The Germans delighted that they are to be instructed in their own tongue. His (Breynton's) mission is in a prosperous state; manner of conducting services. Population 1450; members of the church of England, including Germans, French and Irish, 950; navy 700; army 500; Protestant dissenters 350; constant communicants 60; births, 140; burials, 50. fol. 263a

September 10, Halifax. Francklin to Secretary of State (Richmond). Had been informed of His Grace's appointment. Had received copies of Acts for opening free ports in Jamaica, and Dominica and indemnifying persons who have incurred the penalties of the Stamp Act. Had punctually observed commands respecting persons retailing spirituous liquors near the dock yard; the means taken to support the discipline, preserve the health and prevent the desertion of seamen. Col. Cor. N. S. vol. 2, p. 90

September 10, Halifax. Same to Lords of Trade. Dispatches with Acts of Parliament received. N. 124, B. T. N. S. vol. 21

September 11, Halifax Same to Palliser. Gathering of Indians last summer and this to the alarm of the people. The Indians had received holy water, relics, &c., so that it is evident they hold communication with St. Peter and Miquelon, if they do not receive priests from there. Asks him to direct the cruisers to prevent communication by the Indians with Miquelon, or even with Newfoundland. Col. Cor. N. S. vol. 2, p. 105

September 29, Lunenburg. Moreau to S. P. G. (in French). Administered the communion at Whitsuntide to over 100, English, German and French, to each in their own language; his congregation is increasing; thanks for the catechisms. Some of the Savages have returned and had 12 children baptized and one couple married; they have shown him a letter from the Bishop of Lucon, in France, alleged to be written by Jesus Christ, which has been ordered to be distributed among them; each of them has a copy, worn in a little bark bag next his heart; the absurdities contained in the letter. During the last three years he (Moreau) has baptized 15 Indian children and married seven couples; has lately baptized a negro and in the last six months has baptized 33 infants, French and German, and married eight couples. Lambeth, MSS. 1124-3, fol. 264a

September 30, Halifax. Francklin to Lords of Trade. In view of applications for coal lands in Cape Breton, sends information respecting their state, the buildings, &c.; the extent of the vein is about 12 feet thick and half a mile wide; the coal at the mines, ready for transportation, can be sold for 12s. 6d., the cost of working about five shillings, leaving a profit of about seven shillings and six pence if worked for the public benefit. Proposes that all the coal should be shipped to Halifax, so that vessels arriving, which now return in ballast, might load with coal for the return voyage and thus encourage investment in shipping by the merchants of the Province and add to the light dues now insufficient for the support of the lights. Other advantages, among them the opening of roads would be the result of the increased revenues. Gives an idea of the general direction of the roads thus proposed and the manner in which they might be executed.

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Of these, 30 or 40 miles might be made every year by the revenues from the coal mines. N. 114, B. T. N. S. vol. 21

(Two copies of this letter are in Col. Cor. N. S. vol. 2, pp. 93 and 131).

ober 1, lifax. Francklin to Lords of Trade. Sends schedule of bills drawn for expense of the civil establishment. N. 115

Enclosed. Schedule. N. 116

(Duplicates are in Col. Cor. N. S. vol. 2, pp. 102, 103).

ober 2, enburg. Bailly to S. P. G. Thanks for French catechisms; the scholars few, being employed by their parents; it is expected that the number will increase in November. The young persons presented to Moreau had been received as communicants. Lambeth, MSS. 1124-3, fol. 265*a*

ober 2, lifax. Francklin to Lords of Trade. Applies for Mediterranean passes. Col. Cor. N.S. vol. 2, p. 112

(A similar application but dated the 6th, is marked N. 117, B. T. N. S. vol. 21).

ober 5, th End. Cawthray to Secretary of State (Shelburne) complains of Francklin. The complaints are given in detail. Col. Cor. N. S. vol. 2, p. 79

ober 7, lifax. Belcher to S. P. G. Has had no account yet of the selection of a suitable missionary for Lunenburg. Thanks for the Society's liberality to Vincent's widow, for their recommendation of Bennett and Breynton to Lords of Trade and for allowance to Lynch, schoolmaster at Halifax. Lambeth MSS. 1124-3 fo. 263*a*

ober 9, lifax. Lynch to the same. Thanks for the bounty to him as schoolmaster. 264*a*

ober 15, lifax. Francklin to Secretary of State (Shelburne). Had received notice of His Lordship's appointment and letter with Act repealing certain duties. Sends copies of his letters to the Lords of Trade respecting Indians and the coal trade. Had received letters for Palliser at Newfoundland, which he was unable to forward. The delays of the mails; suggests that two small vessels might be employed for carrying dispatches. Is preparing statements of the settlements, population, cattle and effects of the Province. O. 1, B. T. N. S. vol. 22

(A duplicate is in Col. Cor. N. S. vol. 2, p. 114).

ober 16, John's, wfoundl'd. Palliser to Francklin. The report of the motions of the Indians of Nova Scotia is alarming, but only what he expected from the baneful effects of communication with the French. Their object in contending for these two insignificant islands, whose uses were the least part of their view; the preservation of their influence over the Indians and the rebellious and more dangerous Acadians was a more important part of their object. Had communicated to the ministry his apprehension that the fishery would be greatly prejudiced and the Colonies on the continent be disturbed by this measure. The intercourse is carried on by the clandestine traders, especially from Cape Breton and by Port Dauphin, and by passports inconsiderately granted to Indian chiefs of which he ought to have been informed, so that he might have known how to act. Had written in 1764, to have these passes recalled, which was done, but last year above 200 arrived with fresh passes, dated at the Secretary's office, Halifax, from the gentleman who held a congress with them at Nerickshag and from Louisbourg; under sanction of these they went directly to St. Pierre and afterwards scattered through the country to the great terror of the inhabitants of Newfoundland. Had taken away their passes, but despairs of getting them out of the country. Miquelon is full of inhabitants, chiefly Acadians, furnished with passes from Nova Scotia. Disposition of the cruisers for winter and spring. Col. Cor. N. S. vol. 2, p. 107.

ber 29, don. Lamb to Lords of Trade. Sees no objection in point of law to the Acts submitted to him. O. 8. B. T. N. S. vol. 22

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October 31, Halifax. Francklin to Secretary of State (Shelburne). Meeting of the General Assembly on the 22nd, their attachment to the laws and interests of the mother country. Sends copy of his speech and the addresses in reply. Col. Cor. N. S. vol. 2, p. 143

Enclosed. Speech. 145
Address of the Council. 149
Address of the Assembly. 152

November 19, Halifax. Francklin to Secretary of State (Shelburne). Had received letter respecting the violence and murders lately committed on the Indians under the protection of His Majesty and also of settlements made, beyond the limits prescribed by the Royal Proclamation. (1763). In Nova Scotia there is perfect peace with the Indians and measures are taken to prevent any injuries against them and to redress any slight offences committed through ignorance or indiscretion; no settlements have been made on Indian lands in the Province. O. 2, B. T. N. S. vol. 22

(A duplicate is in Col. Cor. N. S. vol. 2, p. 156).

November 21, Halifax. Francklin to Secretary of State (Shelburne). There are no manufactures carried on in the Province, unless distilling rum from molasses and making loaf sugar can be so called. The only encouragement to distillers and sugar bakers is an import duty of five pence a gallon on rum and a penny a pound on loaf sugar. The inhabitants work up the wool for their own use and the flax is made into coarse linen. The townships of Truro, Onslow and Londonderry, whose population is chiefly from the north of Ireland, make their own linen and have a little to spare; this year 7,254 pounds of flax were raised: when the people are in better circumstances the making of this linen will probably be abandoned, as when they have more stock to attend to, the exportation of the flax and hemp will be more profitable than weaving. No encouragement has been given by Government to manufacturing and there are no associations for this purpose. O. 3, B. T. N. S. vol. 22

Enclosed. State of manufactures. There were two distillers, Joshua Mauger and John Fillis; one sugar house by Malachy Sutton; two hatters, John Walter Wendal and Samuel Bligh. O. 4

November 22, Halifax. Francklin to Secretary of State (Shelburne). General Assembly prorogued, the harmony that existed in the different branches. The debt exceeds £22,000, the sum of £16,250 being in Treasury notes, with interest at six per cent; and the Governor has been empowered to issue warrants for £3,648 4s. 0d., at the same rate of interest for the unfunded debt. The Assembly has prepared a memorial on the want of specie, &c., praying for relief; recommends the prayer of the memorial, in which liberty is asked to issue a paper currency. Reports the case of four young officers, fined £50 each, and recommends that the fines may be remitted, owing to their subsequent good conduct and the services of the regiment. O. 5

Enclosed. Address from the Legislative Council and Assembly, respecting the want of specie, asking for the revenues of the coal mines and quit rents and for leave to issue money bills for £40,000. O. 6

(Duplicate of letter is in Col. Cor. N. S. vol. 2, p. 158, and of the address in vol. 21, B. T. N. S. marked N. 123).

November 22, Halifax. Francklin to Lords of Trade. Dispatch of 1st August received, which he had answered to the Secretary of State on the 21st instant. Had also received information of two Acts being confirmed. Is sending copy of minutes of Council and docquets of grants of land to 30th September. Sends report by Morris of survey taken in 1765 of the rivers of St. John and the coast of Passamaquoddy Bay and the St. Croix. The care taken by Morris; recommends an additional allowance to him. The harmony in the different branches of the Legislature during last session. Remarks on some of the Acts passed. N. 125, B. T. N. S. vol. 21

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Enclosed. Form of return for the settlement to show the population, stock, produce, &c. N. 126

Report of the survey of the river St. John, and of the coast thence to Passamaquoddy Bay. N. 127

The plan on which this report is founded is in B. T. maps, case 43, No. 20. The docquets of grants mentioned in letter are in Plantations General, vol. 57

(Duplicates of letters and two enclosures are in Col. Cor. N. S. vol. 2, pp. 162, 167, 192).

ecember 1, alifax. Francklin to Secretary of State (Shelburne). Arrival of Lord William Campbell on the 26th ult., taking the oaths next day as Governor. Had delivered to him the letters lately written, with the address of the Council and Assembly, which are to be forwarded. Col. Cor. N. S. vol. 2, p. 193

(For address see enclosure in letter of 22nd November).

ecember 3, t. James's. Order in Council, that no coal mines are to be worked in Cape Breton and petitions for that purpose are to be dismissed. O. 11, B. T. N. S. vol. 22

(A duplicate is marked O. 17).

ecember 4, alifax. Campbell to Lords of Trade. Sends list of bills passed last session and copy of the proposed bill for the partition of lands in coparcenary, joint tenancy and tenancy, for the more effectual collecting of the quit rent. A previous bill was disallowed as being prejudicial to absentees; that has been avoided in the present, on which he sends observations by the Chief Justice, minutes of Council and documents of the grants of land. N. 118, B. T. N. S. vol. 21

Enclosed. List of Acts. N. 119

Remarks on the bill for partition of lands. N. 120

(For the bill see Col. Cor. N. S. vol. 2, p. 200, following a duplicate of the letter).

ecember 5, alifax. Campbell to Lords of Trade. Had arrived on the 26th, and was sworn in next day. Refers to Francklin for proceedings in the Legislature. Transmits memorial from the Council, Assembly and inhabitants to be laid before the king. Shall inspect every department and report. Had investigated the complaint that Francklin was still deeply engaged in trade, but the evidence was, that he was no more so than being obliged to collect the debts due to him when he gave up business. Should the collection of these debts, possibly extending over many years, give him undue influence and make him unsuitable for Lieutenant-Governor, recommends Major Gorham for the office, a native of America, and resident for greater part of his life in the Province. N. 121, B. T. N. S. vol. 21

Enclosed. Affidavit by Francklin, that he is not engaged in trade or commerce as reported. N. 122

Memorial of the Council and House of Assembly. N. 123

(The memorial is a duplicate of enclosure in letter from Francklin of 22nd November).

ecember 5, alifax. Campbell to Secretary of State (Shelburne). A similar, but not identical, letter to that sent to Lords of Trade of same date; the enclosures are the same as in that letter. Col. Cor. N. S. vol. 2. p. 212

ecember 31, alifax. Abstract of the number of inhabitants and produce, &c., of Nova Scotia, to the date in the margin. 442

o date. Memorandum of the boundaries of Nova Scotia, entitled: "Nova Scotia Comm'n, 1766. Lord W. Campbell." A. & W. I. vol. 597

(An extract from Lord William Campbell's commission, which is among the patent rolls, 6 George III. part 4. Patent Roll 3707).

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anuary 2, Whitehall. Lords of Trade to the King. Send draught of trade instructions with report from the Commissioner of Customs, to show the reason for the changes. B. T. N. S. vol. 38. p. 131

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Trade instructions with form of returns. B. T. N. S. vol. 38, p. 1[illegible]

January 23, Whitehall. Estimate for the civil establishment of Nova Scotia for 1767 (£4[illegible] 3s. 5d). 1[illegible]

January 27, Whitehall. Lords of Trade to Lawrence. Transmit account of expenses incurred for the service of Nova Scotia in 1760, not provided for by Parliament and desire him to send to the Treasury copies of certain documents relative to demands during the administration of Belcher and Wilmot. 2[illegible]

The unprovided for expenses of 1760, relating to Indian trade. 1[illegible]

(The documents of which copies are asked are in B. T. N. S. vol. 21, marked N. 98, N. 111 to N. 113).

February 7, Lunenburg. Memorial of the justices and the clerk of the peace, on behalf of the inhabitants, that the Rev. Ebenezer Kneeland of the 59th regiment, be appointed missionary. O. 18, B. T. N. S. vol. 2[illegible]

(A desire to that effect is reported in Wilmot's letter of 6th May, 1766, marked N. 97 in B. T. N. S. vol. 21).

February 16, London. Lamb to Lords of Trade. Remarks on Acts of Nova Scotia for partition of lands, which may be sanctioned. O. 9, B. T. N. S. vol. 2[illegible]

February 19, Whitehall. Secretary of State (Shelburne), to Campbell. The King is well pleased with the behaviour of Nova Scotia, which may always depend on his favour and protection. The bill for the partition of lands in coparcenary, &c., referred to the Lords of Trade. Matters relative to coal mines, Indians, &c., are under consideration. In the meantime, he is to keep the Indians in as good a temper as possible, and to encourage the fisheries and agriculture, particularly the cultivation of hemp and wheat. A grant of 40,000 acres has been made to Messrs. Dumesnil St. Pierre and Le Marchand Dumesnil, who carry 40 Protestant settlers with them; they are to have every encouragement. He is to take measures against clandestine trade and to prevent the tumultuous assemblage of Indians and their annual emigration to Newfoundland. The King approves of the making of roads but cannot consent to appropriate the revenues from quit rents or coal mines for that purpose, in view of the other heavy expenses for American services, of which his Colony of Nova Scotia comes in for a very ample share. Col. Cor. N. S. vol 2, p. 221

February 27, Halifax Campbell to Secretary of State (Shelburne). Asks for leave of absence to bring out Lady Campbell and family. Proposes, when the season admits of communication, to visit the settlements and townships; the want of roads and the difficulty of making them from the scarcity of hands; once completed, the Province would be equal to any on the Continent. The number of ports of safety and "inexhaustible mines of fish" at the entrance to the harbours. This ought to be the first nursery of seamen, whilst the upper settlements should furnish the necessaries of life to those who become adventurers in the fishery. The long struggle the Province has had, encumbered with a heavy debt, deserves the attention of those in power. The Mother Country has injured herself with extensive aid to distant colonies, which do not seem to possess the sense of gratitude that might have been expected. If empowered to open and work the coal mines in Cape Breton, the proceeds might be applied to making roads; the advantages thence arising. 2[illegible]

March 3 Particulars of the estimate for the expense of the civil establishment of Nova Scotia. O. 10, B. T. N. S. vol. 2[illegible]

March 7, Whitehall. Lords of Trade to Lords of Council. Report on the memorial of Colonel Simon Fraser and other reduced officers of the late 78th regiment, for land on the Island of St. John. B. T. N. S. vol. 38, p. 227

March 10, London. Lamb to Lords of Trade. Sees no objection in point of law to Acts passed in Nova Scotia submitted to him. O. 12, B. T. N. S. vol. 2[illegible]

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rch 27, Shelburne to Lords of Trade. Transmits, for consideration and
itehall. report, Lord W. Campbell's letter and papers respecting the Act for partition of lands. O. 13, B. T. N. S. vol. 22

(See Campbell's letter of 4th December, 1766. The enclosures, Act and paper with remarks are referred to in that letter).

Application from Joseph Howard for allowance for bringing Holland's survey of Cape Breton. The enclosures follow Shelburne's letter and are all in parcel marked O. 14.

ril 2, Order in Council for report on petition of William Cawthorne for
itehall. 20,000 acres in Nova Scotia. O. 16 x 17, B. T. N. S. vol. 23, No. 4

The same on petition of John Fletcher, ensign in 56th regiment, for 20,000 acres. No. 5

The same on petition of John Brewer, Captain on half pay from the 95th regiment for 10,000 acres. No. 8

The same on petition of Philip Fall, for 10,000. No. 9

The same on petition of Philip Playstowe, reduced lieutenant, R. N., for 5,000 acres. No. 10

The same on petition of Henry Alt, reduced captain in the 93rd regiment, for 5,000 acres. No. 11

The same on petition of Samuel Graves, Rear Admiral of the Blue, for 20,000 acres. No. 12

The same on petition of Lieutenant-General Robert Armiger for 20,000 acres. No. 13

ril 3, Lords of Trade to Secretary of State (Shelburne). Recommend that
itehall. the bill for the partition of land in coparcenary be sent to the Governor to be passed into a law. Col. Cor. N. S. vol. 2, p. 227

(See also B. T. N. S. vol. 38, p. 190).

ril 6, Campbell to Secretary of State (Shelburne). Sends Acts, journals,
lifax. minutes of Council and naval officer's lists. Col. Cor. N. S. vol. 2, p. 229

Enclosed. Journal of Legislative Council from 23rd October to 23rd November, 1766. 230

Minutes of Executive Council between 15th October and 20th December, 1766. 296

Naval office entries and clearances. 340, 372, 380, 384

ril 13, Order in Council that the petition of Sir Charles Saunders, Admiral
James's. Keppel and others, for the Island of St. John be dismissed.
ril 24, O. 21, B. T. N. S. vol. 22.
James's.

Instructions on Trade and Navigation to Lord William Campbell,
ril 28. Governor of Nova Scotia. A. & W. I. vol. 597, p. 196
ntehall. Secretary of State (Shelburne) to Lords of Trade. Transmits petition from Louisbourg for consideration and report. The petition, attached to the letter, complains of the oppression to which they (the inhabitants of Louisbourg) are subject, and of the grant to a Frenchman, which includes nearly all their improvements; prays for relief. O. 15, B. T. N. S. vol. 22

y 20, Campbell to Secretary of State (Shelburne). Transmits account of
lifax. the master of a sloop of the ill treatment he received from the Spaniards at Porto Rico. Col. Cor. N. S. vol. 2, p. 391

Enclosed. Deposition of Jeremiah Rogers, of the ill treatment he received at Porto Rico, into which his vessel was driven in distress. 392

y 20, Campbell to Secretary of State (Shelburne). Transmits and recom-
lifax. mends for consideration memorial of the Attorney General. 402

Enclosed. Memorial. 403

y 21, Campbell to Secretary of State (Shelburne). His efforts to open up
lifax. roads; several have been opened and brought to some degree of perfection, especially one of 45 miles from Halifax to the Bay of Fundy, but they are out of repair, preventing the country people from bringing their produce, to their great disappointment and to the disadvantage of the

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people in the town. The difficulty from want of labour; troops are employed at a shilling a day, but the means for paying them are inadequate. Had allowed merchants in Halifax to raise coal, from which the sum of £500 had been realized. The places whence these coals are taken are on the coast and accessible to vessels; the persons holding licenses will prevent the vessels from carrying off coal. Col. Cor. N. S. vol. 2, p. 406

May 21, Halifax. Campbell to Secretary of State (Shelburne). Shall send table of fees, but these have been several times transmitted to the Lords of Trade. 411

May 23, Whitehall. Order in Council referring to the Lords of Trade for inquiry, consideration and report, the following petitions for land in St. John Island:

Lieut.-Colonels Cunningham, Gordon Graham, Gabriel Christie, Henry Gladwine and others, for lands in the Island of St. John, annexed to Nova Scotia by proclamation of 7th October, 1763, for settlement and for extending the whale and other branches of fishery.

From Chauncy Townsend, that he was possessed of land in Miquelon, where he carried on fishery and raised live stock, and prays for 20,000 acres in St. John Island.

From Joshua Mauger, for 20,000 acres.

From John Pownall, for 20,000 acres.

From Richard Cumberland, for 20,000 acres.

From John Tutté, Edward Lewis and Hugh Owens, each, in separate memorials, for 20,000 acres.

From Simon Fraser and other officers of the late 78th regiment, for 146,000 acres in Queen's County, lots 20 to 23, 29 to 32. The names of the officers follow with the amount of the land each is to get.

From Capt. Alexander Macleod, for 10,000 acres in Queen's County, lot 24. (Capt. Macleod's name is in the previous list for 3,000 acres).

From Hon. Capt. Robert Moore, for 20,000 acres.

From Capt. James Smith, R. N., for 20,000 acres.

Brigade-Major Thomas Moncrieffe and Capt. William Shirreff, for a grant, no quantity mentioned.

Col. Richard Wage, late of the 86th regiment, for 30,000 acres in one of several places mentioned on the island.

Col. Stuart Douglas, Captains William and Stair Douglas, in separate memorials, for 20,000 acres each.

Capt. John Saxton, late of the 17th regiment, for 5,000 acres.

Lieut. John Hayter, late 86th regiment, for 10,000 acres in one of several places mentioned.

Major Patrick Gordon, for 20,000 acres.

Captain David Higgins, for 20,000 acres and the small island on the right hand side of the harbour of Malpack (Malpeque), about a mile in length and a quarter of a mile in breadth, where he has made preparations for the fishery.

Capt. Daniel Shaw, late of the 42nd regiment, for 20,000 acres.

Capt. John Cardin, for 5,000 acres.

Lieut. David Forbes, late of the 8th regiment, for 10,000 acres.

Robert Adair, chief hospital surgeon, and Samuel Doggat, each for 20,000 acres.

Zachary McAulay, of H.M.S. "Prince of Orange" for 2,000 acres.

Jacob Nelstrup, for 20,000 acres.

Francis Mackay, Suveyor General of Woods in Quebec, for self and his brother and Hugh Finlay, for 20,000 acres each.

James Montgomery and John Pringle, each for 20,000 acres.

John Dickson for 20,000 acres or upwards.

John Murray of Philiphaugh, for 20,000 acres or upwards.

Colonels Richard and Alexander Maitland and Major-General James Murray, for 20,000 acres each.

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(The memorials are all undated. They were referred to the Lords of Trade on the date in the margin and appear to have been considered on the 5th of June). O. 19, B. T. N. S. vol. 24

May 26, Whitehall. Secretary of State (Shelburne), to Campbell. Sends copy of report on bill for partition of land to which there is no objection. His Majesty cannot grant the revenues from quit rents and coal mines for Provincial services. Leave of absence granted him for six months, the government to be transferred to Francklin or, in event of his death, to such person as he (Campbell) may select. Recommends Dumesnil St. Pierre to his protection. Col. Cor. N. S. vol. 2, p. 387

May 28, Whitehall. Lords of Trade to Secretary of State (Shelburne). Transmit representation to be laid before the King on the memorial of the inhabitants of Cape Breton, complaining of grievances. B. T. N. S, vol. 38, p. 192.

Representation of same date follows, reporting that the complaints are unfounded. 193

(For the memorial, see letter of Shelburne, 28th April, in which it was enclosed, marked O. 15, B. T. N. S. vol. 22).

May 28, Whitehall. Lords of Trade to Lords of Council. Recommend that the petition of Major Otho Hamilton and associates be acceded to, and that a township of 100,000 acres be appropriated of the continental lands of Nova Scotia, not granted to others, or claimed or possessed by the Indians, to be surveyed and on the return of the survey to be granted to them, under conditions stated in the recommendation. 198

May 28, Whitehall. Same to the same. Recommend grants of land to sundry persons, of whom a list is subjoined, in similar terms to the recommendation in favour of Hamilton and associates. 204

The list, the first name on which is that of Benjamin Franklin, L.L.D., for 20,000 acres, follows. 210

(The applications are given at their dates; they, with the order of reference from Council, are marked O. 16 x 17, in B. T. N. S. vol. 23).

June 2, Whitehall. Order in Council, for report on petition of Philip Fall, Captain on half pay from the 95th regiment, for 10,000 acres in Nova Scotia. O. 16 x 17, B. T. N. S. vol. 23

June 5, Whitehall. Lords of Trade to Egmont. A plan has been approved for a distribution of lands in St. John Island, in which one parish is granted to His Lordship who is desired to make a selection from the list sent. B. T. N. S. vol. 38, p. 211

The list follows. In Prince County there were five parishes, the townships were numbered from 1 to 19, and 25 to 28, which, with Princetown, 4,000, made a total of 467,000 acres. Queen's had five parishes, the townships number from 20 to 24, 29 to 37, 48 to 50, 57, 58, 60, 62, 65, 67, with Charlottetown, 7,300 acres, made a total of 486,900 acres. King's had four parishes, the townships number 38 to 47, 51 to 56, 59, 61, 63, 64, 66, with Georgetown, 4,000 acres, made a total of 412,000 acres, grand total, 1,366,000. 213

Advertisement that petitions for land in St. John Island will be considered on certain days named. 214

June 6, London. Egmont to Lords of Trade. Thanks for the reservation of a township for him in St. John Island, but declines the offer, as he cannot now do credit to himself, or service to the public by any undertaking there. O. 20, B. T. N. S. vol. 23

June 20, Whitehall. Secretary of State (Shelburne) to Francklin. In consequence of leave of absence to Campbell, he (Francklin) is to take over the government when Campbell leaves. Col. Cor. N. S. vol. 2, p. 390

June 24, Halifax. Campbell to Secretary of State (Shelburne). Dispatch received; will pay attention to directions. 412

June 25, Halifax. Same to the same. Dispatch received with estimate for the civil establishment. 413

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June 26, St. James's. Order in Council, repealing the "Act to establish the number of representatives." O. 32, B. T. N. S. vol. 22

July 29, Whitehall. Lords of Trade to Lords of Council. Transmit plan for granting St. John Island, with their proceedings, list of grantees referring to number on the plan by Holland for the lots. Copy of the proceedings should be sent to the Governor of Nova Scotia, with directions to carry out the regulations and to make the grants to persons producing an order from the King in Council. B. T. N. S. vol. 38, p. 216

The proceedings are in Journals of the Board called "Trade papers," vol. 75, beginning at p. 205, in which the names of the grantees are all given, with the conditions, &c. See also same volume pps. 243, 257 (in which is the distribution of the lots by ballot). The map mentioned is in B. T. maps, case 35, No. 5.

August 1, Halifax. Journals of the Legislative Council from 1st July to date in the margin. Col. Cor. N. S. vol. 2, p. 574

Journal of Legislative Assembly for the same period. 636

August 26, St. James's. Order in Council, referring for consideration and report petitions for lands in Cape Breton. O. 23, B. T. N. S. vol. 22

(Five petitions are with the order).

August 26, St. James's. Order in Council, approving a report of the Lords of Trade and ordering that the Governor of Nova Scotia be directed to carry into effect the regulations respecting lands, and to pass grants in St. John Island to the respective persons entitled thereto. O. 33, B. T. N. S. vol. 22

September 7, Halifax. Francklin to Secretary of State (Shelburne). Had received letter that Lord W. Campbell had obtained leave of absence and that he (Francklin) is to take command when Campbell leaves. Shall use his utmost ability for the tranquillity and prosperity of the Province. Col. Cor. N. S. vol. 2, p. 414

September 17, Halifax. Campbell to the same. Recommends that John Creighton be appointed to the Council in room of Edmund Crawley, who has asked leave to resign. 415

September 17, Halifax. Same to the same. Transmits estimate for the civil establishment, with remarks. 416

Enclosed. Estimate. 421

Estimates compared. 423

September 24, Halifax. Proceedings of Executive Council from 3rd January to date in margin. 508

October 1, Halifax. Extracts from the registers of grants of land in Nova Scotia, commencing with the settlement of Halifax in 1749. 443

(The first entry is a grant by Cornwallis to Thomas Bloss, dated 22nd September, 1750, the last from Francklin to Anthony Caverley, dated 4th November, 1766. The quantities, townships and quit rents are given but not the description of the lots).

October 1, Halifax. Memorial of Nisbett, Attorney General, for payment of arrears of salary. O. 31, B. T. N. S, vol. 22

October 1, Halifax. Charles Morris to Lords of Trade. The increased expense connected with surveys; prays for consideration of his case. O. 28

Memorial to the same effect. O. 29

October 9, Whitehall. Order in Council, referring, for consideration and report, petition of Hannah, widow of Captain Horsey, killed in defending the schooner "Huron," praying for 10,000 acres in Nova Scotia. (The petition is attached to the reference). O. 24

October 9, Whitehall. Order in Council referring, for consideration and report, petitions for land in Cape Breton. (The petitions, nine in number, are attached to the reference). O. 22

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ober 9, Order in Council, referring, for consideration and report, petition from
itehall. Simon Fraser and others, for exemption from quit rent in St. John Island for ten years and for additional land in Baie Verte. (The petition is attached). O. 37, B. T. N. S. vol. 22

ober 19, Francklin to Secretary of State (Shelburne). Sailing of Lord William
lifax. Campbell on the 1st of the month. He (Francklin) has taken charge. Col. Cor. N. S. vol. 2, p. 424

ober 24, Same to the same. Sends laws passed and journals of both houses. 426
lifax. *Enclosed.* Journal of Legislative Assembly from 17th to 19th October. 427
The same for the Legislative Council. 433

ober 24, Francklin to Lords of Trade. Sailing of Lord William Campbell on the
lifax. 1st instant, having transferred the government to him (Francklin). Meeting and prorogatian of the legislature, after passing three Acts. Journals, &c., sent to Secretary of State. O. 26, B. T. N. S. vol. 22

ober 24, Same to Secretary of State (Shelburne). Arrival of a schooner from
lifax. St. Peters and Miquelon, with a number of Acadians, furnished with a passport from the Governor and Intendant. They had gone off clandestinely from this Province about two years ago, and report that a King's frigate of 36 guns had arrived from France, with orders to ship off all the sedentary inhabitants but 40 families; about 1,200 souls in excess of that number were found, chiefly Acadians; 200 preferred returning to the Province, the rest went to France. Some had gone to Canso and taken the oath, those at Halifax desire to do the same and seem resolved to be faithful. Some Indians were also ordered off the islands. Col. Cor. N. S. vol. 2, p. 438

vember 15, Lamb to Lords of Trade. Sees no objection in point of law to Acts
ndon. passed in Nova Scotia in 1766. The titles are given. O. 25, B. T. N. S. vol. 22

vember 23, Captain Hughes to Secretary of State (Shelburne). Sends dispatches
rtsmouth. brought by the "Mermaid." Col. Cor. N. S. vol. 2, p. 441

cember 1, Francklin to the same. Had received dispatch, with Acts respecting
lifax. duties, &c., abstract of which he had published in the *Gazette*. Had also received warrant to use the new seal, which came to hand by the same conveyance. The old seal shall be returned. Col. Cor. N. S. vol. 3, p. 16

cember 1, Same to the same. Has received Order in Council repealing Act for
lifax. establishing the number of representatives. 18

cember 14, Cunningham to the same. Forwards memorial to be reinstated in the
lifax. office of Superintendent of Indian Affairs. 1
Enclosed. Memorial. 3
Certificate of his services by Franklin (6), Bulkeley (8), Belcher (9), Green (10). 6 to 10

cember 15, Lords of Trade to the King. Recommend Benjamin Guerish (elsewhere Gerrish) to be appointed to the Council of Nova Scotia, in room
itehall. of Edmund Crawley, who has left the Province. B. T. N. S. vol. 38. p. 219

cember 16, Francklin to Secretary of State. Sends return of the Province to 1st
lifax. January, 1767, from forms distributed to the magistrates of each township and district. Shall do the same for this year. Col. Cor. N. S. vol. 3, p. 19

Enclosed. General return for Nova Scotia, showing names of townships, numbers in each family, total in each county, religion, country, (places of birth), stock and substance, produce of the last year, alteration of inhabitants since last year, with the number of those who were born, died, arrived and left the Province, showing a net increase for the year of 808 souls. 20

cember 16, Francklin to Secretary of State (Shelburne). As the King has disposed
lifax. of the lands on St. John Island to several persons and may do the same

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at Cape Breton, sends list of persons occupying lands by license, so that their improvements may be considered and they may not become sufferers when a distribution of lands shall take place.
Col. Cor. N. S. vol. 3, p. 21

Enclosed. "Lands on the Island of Breton, for which licenses of occupation have been granted to continue during pleasure only." 23

December 17, Halifax. Francklin to Secretary of State (Shelburne). Has sent the old seal of the Province to Walpole, clerk of the Privy Council. Copies of the perpetual Acts of the Province sent to His Lordship. 24

December 17, Halifax. Same to Lords of Trade. Sends returns of the state of the Province to 1st January, 1767. O. 34, B. T. N. S. vol. 22

The returns follow. O. 35

(See letter to Secretary of State of 16th December).

December 18, Halifax. Francklin to Lords of Trade. Sends duplicates.
O. 39, B. T. N. S. vol. 22

December 24, Whitehall. Lords of Trade to the King. Recommend the disallowance of an Act, now revived, declaring foreign debts not pleadable except for goods imported into the Province, the Act having served the temporary purpose for which it was originally passed. B. T. N. S. vol. 38, p. 220

No date. Statement of Lord William Campbell, respecting the duty on spirits, its effects, &c. O. 38, B. T. N. S. vol. 22

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January 17, Halifax. Francklin to Lords of Trade. Sends audit of the accounts for supplies to the Indians. The audit extends to the 31st of the previous May. Hopes that measures may be taken to relieve the creditors, many of whom are in great distress from the delay in payment.
P. 7 x 8, B. T. N. S. vol. 35

The report of the auditors follows, with the same letters and numbers as on the covering letter.

January 18, Halifax. Francklin to Secretary of State (Shelburne). Sends minutes of Executive Council from the beginning of his command to 31st December last.
Col. Cor. N. S. vol. 3, p. 42

January 19. Estimate of the expense of the civil establishment, Nova Scotia.
O. 30, B. T. N. S. vol. 22

January 20, Halifax. Francklin to Secretary of State (Shelburne). Spry, Judge of the Court of Admiralty, has appointed a surrogate to act during his absence. Doubts of the power to do this, and lays the case before His Lordship.
Col. Cor. N. S. vol. 3, p. 43

January 21, Whitehall. Estimate (£3,895 1s. 11d.) for the civil establishment of Nova Scotia.
B. T. N. S. vol. 38, p. 224

Particular distribution of the same. 225

January 22, London. Thomas Tyrrell to Pownall (in French). His attachment to Great Britain. Two Acadians have come from St. Malo, as deputies for 500 who are there and who desire to return to Nova Scotia, promising to take the oath of fidelity and to conduct themselves as good and loyal subjects of Great Britain. Vouches for their good faith; they were, besides, not among those who took up arms to defend the fort of Beausejour, when it was taken. Being no longer under mischievous influences, he has no doubt they will become well affected and useful. The deputies state in conversation that more than 1,000 wish to return.
Col. Cor. N. S. vol. 3, p. 11

Enclosed. Memorial by the deputies, Pierre Duon and Pierre Henri. 14

(Tyrrell, otherwise Pichon, was the author of a work on Cape Breton, published anonymously in 1760. He was employed as a spy by the British commanders).

February 19, London. Campbell to Secretary of State (Hillsborough). Encloses memorial from the distillers of Halifax for the repeal of the law lessening the import duty on spirits, and his reasons against complying with its prayer.
Col. Cor. N. S. vol. 3, p. 31

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Enclosed. Memorial. Col. Cor. N. S. vol. 3, p. 33

bruary 19, ndon. Campbell to Secretary of State (Hillsborough). Calls attention to the ruinous condition of the range of batteries for the defence of the town and harbour of Halifax. 37

bruary 19, ndon. Same to the same. Sends new edition of the laws of Nova Scotia. 38

bruary 20, alifax. Francklin to Secretary of State (Shelburne). Sends copy of proclamation to the Acadians, issued in consequence of several families being driven from St. Peter and Miquelon, and the effect this had produced on the minds of those who were before in the Province. Deputations have come from almost all the Acadians desiring to take the oaths and to have lands granted to them. Proposes to give 80 acres to the head and 40 acres to every other member of the family; has consulted Belcher respecting the tenure and transmits his opinion. Requests to have the matter submitted to the King. On account of their poverty, asks that the condition of improving the lands, which are all wildwood lands, may be extended from three to ten years; the advantage of this change. 44

Enclosed. Proclamation. 48

Chief Justice Belcher's opinion upon passing grants of land to the Acadians being Roman Catholics. 49

bruary 23, ndon. Memorial of merchants trading to Nova Scotia respecting the duty on spirits, enclosing the case of John Butler and other distillers. O. 36, B. T. N. S. vol. 22

bruary 26, hitehall. Secretary of State (Hillsborough), to Francklin. Dispatches addressed to Shelburne received. His Majesty is pleased to find that the Acadians see that their true interest lies in due submission to his government, every encouragement, consistent with public safety, to be given them; it is His Majesty's intention to compensate them for the deprivation of the benefits they had so rashly forfeited. Due regard shall be paid to the protection of those who have made improvements in Cape Breton on lands held by license. The opening of roads approved of; the granting of licenses for taking coals from Cape Breton to raise money for this purpose was irregular, and the licenses are not to be renewed. Order in Council sent for carrying into execution plan for the settlement of St. John Island. (The directions from the Lords of Trade, attached to the order, are full and precise). How the civil establishment should be settled. Grant made for Nova Scotia of £3,895 1s. 11d; estimate and distribution of the amount sent, as well as the remarks by the Lords of Trade on the estimates for this year. Col. Cor. N. S. vol. 3, p. 25

(Duplicate in Col. off N. S. vol. 1, p. 1).

Estimate for 1768. 7

Distribution. 8

Observations on estimate by Lords of Trade. 9

bruary 29, alifax. Francklin to Secretary of State (Shelburne). Acknowledges receipt of Acts of Parliament. 51

arch 4, hitehall. Phelps (under-Secretary) to Lieut.-Governor of Nova Scotia. Sends Order in Council disallowing an Act passed in Nova Scotia. Col. Off. N. S. vol. 1, p. 12

Enclosed. Order in Council, dated 26th February. The Act disallowed was for continuing in force a previous Act to prevent the collection of debts by foreign creditors, except for goods imported into the Province. The order recites the report of the Lords of Trade giving the reasons for the disallowance.

The order. 12

The report. 14

arch 7, ndon. Campbell to Secretary of State (Hillsborough). Sends memorial respecting roads in Nova Scotia. Col. Cor. N. S. vol. 3, p. 40

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Enclosed. Memorial for leave to draw £500 to be expended on roads.
Col. Cor. N. S. vol. 3, p. 39

March 7, Whitehall. Secretary of State (Hillsborough) to Campbell. Should an order be sent for £500 for roads, it must be paid to the deputy-governor in his (Campbell's) absence.
Col. Off. N. S. vol. 1, p. 17

March 9, London. Campbell to Secretary of State (Hillsborough). Asks that the £500 for roads may be sent to himself, as great economy must be observed.
Col. Cor. N. S. vol. 3, p. 41

March 9, Whitehall. Secretary of State (Hillsborough) to Campbell. As His Lordship (Campbell) desires the order for the £500 to be payable to himself, that shall be done when he has embarked for Nova Scotia.
Col. Off. N. S. vol. 1, p. 17

March 29, Halifax. Francklin to Secretary of State (Shelburne). Transmits copy of letter from the Speaker of the Assembly of Massachusetts to the Speaker of Nova Scotia, as such correspondence may be of dangerous consequence. No temptation will lead the inhabitants of Nova Scotia to show the least inclination to oppose Acts of the British Parliament.
Col. Cor. N. S. vol. 3, p. 54

Enclosed. Copy of letter from the Speaker of the Assembly, Massachusetts. 56

April 8, Whitehall. Secretary of State (Hillsborough) to Lords of Trade. Transmits memorial and papers from Mrs. How; it is His Majesty's order that, should the claim be found just, steps should be taken to have the balance paid.
O. 40, B. T. N. S. vol. 22

The memorial and papers follow, not marked or numbered.
(Duplicate and list of enclosures in Col. Off. N. S. vol. 1, pp. 18, 19).

April 29, Whitehall. Lords of Trade to the King. In respect to the Acts relating to the duties on beer and on rum and other distilled spirituous liquors, recommend that the Governor of Nova Scotia should be instructed to recommend in His Majesty's name, their repeal and the re-establishment of the duties as they existed before these Acts were passed.
B. T. N. S. vol. 38, p. 232

May 21, Halifax. Francklin to Lords of Trade. Had received letter from Hillsborough with estimate for grant, with observations that sundry establishments at Lunenburg were not now necessary and had notified the same to those interested. Sends memorial on the subject from Leonard Lockman, with narrative of his services; Lockman's advanced years make it impossible for him to earn a livelihood and the allowance was considered as a pension.
P. 3, B. T. N. S. vol. 25

Enclosed. Lockman's memorial. P. 4

Statement of his services. P. 5

(A duplicate, with enclosures, is in Col. Cor. N. S. vol. 3, p. 84; the enclosures, 86, 89).

May 21, Halifax. Francklin to Secretary of State (Hillsborough). Dispatch received; had already assured the Acadians who had taken the oath of allegiance of His Majesty's favour and protection; others are taking the oaths in different districts. Shall inform the people of Louisbourg that attention shall be paid to their representations respecting improvements. Shall observe the orders respecting coal licenses. Has exerted and shall continue to exert his utmost abilities for the settlement of St. John Island. The surveyors and other civil officers and magistrates have sailed for the island, with the object of securing to the settlers all privileges enjoyed in the continental part of the Province. Has appointed Isaac Deschamps, for the time being, to be superintendent of the affairs of the island. Artificers and materials have gone by the same vessel for the erection of temporary lodgings for the officers at Charlottetown. Has drawn for the salaries to 31st March last.
O. 50, B. T. N. S. vol. 22.

1768.

(A duplicate in Col. Cor. N. S. vol. 3, p. 77).

lay 21, alifax. Francklin to Secretary of State (Hillsborough). Has received and published disallowance of an Act passed in November, 1766. Col. Cor. N. S. vol. 3, p. 82

lay 28, alifax. Same to the same. Sends copy of the contract for the digging and carrying off coal from Cape Breton, with affidavit of the quantity already removed; had by His Majesty's instructions prevented the removal of the rest. A quantity of coal was mined by order of Sir Jeffery Amherst, and used for the troops. O. 51, B. T. N. S. vol. 22

Enclosed. Copy of contract; memorial of the contractors; account of coals received from Spanish River, with affidavit; letter from the contractors in reference to the prohibition to remove the coal. O. 52

(See also Col. Cor. N. S. vol. 3, pp. 92 to 106).

lay 29, alifax. Francklin to Secretary of State (Hillsborough). Sends in detail the measures taken for the settlement of St. John Island; the reasons for the particular method of executing them; copies of instructions to the chief surveyor and superintendent, to Gage on the subject and four estimates of the various expenses. The supreme magistracy to be in the Lieut.-Governor of the island, who is to reside there constantly, whilst the Governor-in-Chief is in Nova Scotia, and to move to Halifax during his absence. Asks that a permanent allowance be made to the Lieut.-Governor, also for a secretary, for a King's attorney, for an additional surgeon for a few years, and for a clergyman of the Church of England. A small decked schooner and a row boat required; a respectable body of troops and a small ship of war from the North American fleet for defence of the island, the latter would also prevent illicit trade with St. Peter and Miquelon. Has drawn bills for materials and other expenses. The low state of the finances in Nova Scotia. Col. Cor. N. S. vol. 3, p. 109

Enclosed. Estimate No. 1. Temporary establishment, which the Lieut.-Governor has now carried into execution. 116

Estimate No. 2, expenses to be immediately incurred for carrying on the settlement. 118

Estimate No. 3, for public buildings at Charlottetown and for a small vessel and a proper boat. 119

(The buildings were: House for Lieut.-Governor and offices, £1,000; church, £500; court-house and prison, £500).

Estimate No. 4, for a final and permanent establishment for the island. The sum, leaving a blank for the salary of the Lieut.-Governor, is £2,175 6s. 0d., which includes the expense for the vessel and crew and the barge and bargemen, £250 each, leaving £1,675 6s. 0d. for all other expenses. 120

Letter to Gage, dated 18th May, respecting the settlement of St. John. Proposes to open a road to Tatamagouche of 80 miles long, and to have a subaltern's command placed there to check the Indians in that neighbourhood. The settlement at Cobequid will furnish supplies to the new settlers at Charlottetown. 121

Detail of the measures taken for the settlement of St. John Island. 123

Instructions to Isaac Deschamps, first Justice of the Court of Common Pleas, &c., St. John. 136

Instructions to Charles Morris, Chief Surveyor of Nova Scotia. 143

(See also O. 53, B. T. N. S. vol. 22).

lay 30, ondon. Lamb to Lords of Trade. Sees no objection in point of law in the Acts of Nova Scotia submitted to him. O. 42, B. T. N. S. vol. 22

une 7, alifax. Francklin to Secretary of State (Hillsborough). Has received notice of His Lordship's appointment to be Secretary of State. Col Cor. N. S. vol. 3, p. 148

1768.

June 7, Halifax. Francklin to Secretary of State (Hillsborough). Has received report by the Attorney and Solicitor General on an Act passed in New Jersey for preserving the goods of vessels stranded, which he has delivered to Chief Justice Belcher. Col. Cor. N. S. vol. 3, p. 153

June 11, Whitehall. Secretary of State (Hillsborough), to Francklin. Has already written respecting the letter from the Speaker of Assembly of Massachusetts, to the speakers of the assemblies of the other colonies, respecting opposition to certain Acts of Parliament, and is desired by the King to acknowledge his satisfaction at the dutiful disposition of the Assembly of Nova Scotia and that they may rely on his grace and favour in the protection of their interests. 53

(Duplicate in Col. Off. N. S. vol. 1, p. 20).

June 12, Halifax. Francklin to Secretary of State (Hillsborough). Had directed a complete collection of the laws of the Province to be prepared, which is now forwarded. Col. Cor. N. S. vol. 3, p. 15

(Duplicate in O. 54, B. T. N. S. vol. 22. The laws are in printed collection among the Archives).

June 12, Halifax. Francklin to Secretary of State (Hillsborough). Is having prepared a return of the state of manufactures in the Province. Col. Cor. N. S. vol. 3, p. 15

June 12, Halifax. Same to Lords of Trade. Sends duplicates of letters to Secretary of State and enclosures. It will be necessary after a time, to have more clergymen than one on St. John's island; a church, court-house and prison will be required for the other two counties and a sum of money for contingencies. Hitherto trials for capital offences have been held by special commission at the places, where the offences were committed; this method should be avoided, when it can be done with convenience. O. 55, B. T. N. S. vol. 2

June 12, Whitehall. Secretary of State (Hillsborough) to Lieutenant-Governor of Nova Scotia. Refers to letter of 26th February, respecting the Acadians. The laws of Great Britain which prohibit papists from taking or holding lands by grant or purchase, do not extend to the plantations; His Majesty's pleasure therefore is that his Acadian subjects who shall comply with the requisition in the proclamation published in November last, shall have grants in fee in Nova Scotia. His Majesty is anxious for the welfare of the settlers in Cape Breton, but no title to confirm them in their possessions can be given till a more perfect account shall have been received of the actual state of the possessions in Louisbourg and country adjacent, a full and particular account to be collected and sent, with his own account of how the houses can best be disposed of. He is also to collect and to transmit a full account of the lands held under license in the island. Col. Off, N. S. vol. 1, p. 21

June 14, Halifax. Francklin to Secretary of State (Hillsborough). For Mediterranean passes. Col. Cor. N. S. vol. 3, p. 154

June 20, St. James's. Order in Council. In the case of grants of land in St. John's Island, made by the King in Council none shall pass the Great Seal of Nova Scotia, unless presented on or before 1st May, 1769. O. 56, B. T. N. S. vol. 22

June 21, Whitehall. Secretary of State (Hillsborough) to Francklin. Had already signified His Majesty's sentiments in respect to his Acadian subjects; there is nothing to prevent them from obtaining lands in fee and he is therefore, to make grants to such as give testimony of their allegiance and fidelity. His Majesty's desire to give every satisfaction to the inhabitants already in Cape Breton; he is, therefore, to transmit a full account of the state of Louisbourg in respect to the public buildings and private houses, with his own opinion of what is the best plan to be adopted in regard to the latter. To transmit also a full account of lands held under license in other parts of the island. Col. Cor. N. S. vol. 3, p. 63

1768.
ne 24, ndon. Campbell to Secretary of State (Hillsborough). Sends estimate of the service intended to be done with the £500 granted for roads. Col. Cor. N. S. vol. 3, p. 68

Enclosed. Estimate for constructing five miles of a road from Birch Cove to Fort Sackville. 69

ne 24, itehall. Secretary of State (Hillsborough), to Campbell. Transmits copies of letters to the Lieut.-Governor of Nova Scotia and petitions from Madame de Chevery, relating to land in Cape Breton belonging to her late husband, and from Forsythe, relative to a grant of land and a colliery near Chignecto in 1732; recommends Madame de Chevery to his protection. 70

(Duplicate in Col. Off. N. S. vol. 1, p. 25).

ne 28, itehall. Order in Council to Lords of Trade to prepare instructions to the Governor of Nova Scotia, desiring him to recommend to the Legislature the repeal of certain Acts, relative to the import and excise duties on spirits. O. 43, B. T. N. S. vol. 22

ne 28, itehall. Same to the same, referring petition for a government in the Island of St. John, separate from that of Nova Scotia, and, if that can be done without additional expense, to prepare a plan for the same. The memorial with signatures is attached. O. 44

ne 28, itehall. Same to the same, referring memorials of Lord William Campbell, for a change in the instructions relative to the granting of lands in Nova Scotia. The memorials, stating the change proposed, are attached to the order. O. 45

ne 30, ndon. Sir Mathew Lamb to Lords of Trade. Sees no objection in point of law, to Acts of Nova Scotia, submitted to him. The Acts were passed in July and August, 1767, and the titles are given. O. 48

ne 30, itehall. Secretary of State (Hillsborough), to Campbell. Estimate for cost of roads received; orders have been given to the agent to honour bill for a sum not exceeding £500 on this account. How the bill is to be drawn and accounted for. Col. Cor. N. S. vol. 3, p. 72

Of the same date is an order by Pownall to the agent to honour Campbell's bill for £500. 74

(Duplicates of the two preceding in Col. Off. N. S. vol. 1, pp. 26 and 27).

ly 4, itehall. Secretary of State (Hillsborough), to Campbell. Has sent order respecting such grants of lands in St. John's Island as shall not be taken out and produced to the Governor of Nova Scotia before 1st May, 1769. 75

(Duplicate in Col. Off. N. S. vol. 1, p. 28).

ly 6, dnance. Ordnance to Lords of Trade. Send report on the state of the fortifications at Halifax and Providence. 76

ly 6. itehall. Lords of Trade to Committe of Council. Send draught of additional instructions to the Governor of Nova Scotia. B. T. N. S. vol. 38, p. 237

The instructions direct him to require the Assembly to repeal the Acts relating to import and excise duties and to restore them to the old footing. 238

ly 8. Memorial of Lieut.-Colonel Peter Chester, late of the 69th regiment, for 20,000 acres in Cape Breton. O. 47, B. T. N. S. vol. 22

ly 10, alifax. Francklin to Secretary of State (Hillsborough). Circular received. The General Assembly met on the 18th June and sat till yesterday (9th July). The most perfect harmony prevailed and no countenance was given to the letter from the Speaker of Assembly of Massachusetts, which was not allowed to be read or answered; a strong note of disapprobation would have been given had it been thought necessary. Col. Cor. N. S. vol. 3, p. 155

ly 11, alifax. Same to the same. Sends state of the manufactures in Nova Scotia. The only encouragement is to distillers, three pence a gallon being laid on spirits from other colonies, but there being one shilling excise duty

1768.

on all spirits, distillers complain [illegible]ary of State (Hillsborough) as
are some tan works, but no [illegible] Col. Cor. N. S. vol. 3, p. 232
farmers who own them, he has [illegible]state of the island of Cape Breton.
in general work up their own [illegible] 236
districts make all their own [illegible]sborough) Has received copy of
people get more stock and [illegible] the opening of the new Parliament
Enclosed. State of manufactures [illegible]. 263
house, one hatter, one tanner [illegible] notice of the murder of William
July 11, Halifax. Francklin to Secretary [illegible]man is accused. Shall take every
Mr. Eagleson, intended [illegible]man should he appear in the Province.
that he be allowed to [illegible] 264
ary at Cape Sable, as [illegible] possible assistance and support will be
with Dumesnil St. [illegible] but he knows of no obstruction they
settle in that colony [illegible] 265
of England clergy[illegible] arrived on the 10th; was concerned to
(A duplicate is [illegible] part of the troops must be removed to
July 18. Memorial (unsi[illegible] of the American dominions should forget
numbered 14 on [illegible] happen so prejudicial to the infant
(Laid before [illegible] troops; their withdrawal would expose
July 20, Halifax. Francklin to [illegible] to attacks from the Indians. Hopes
the colonies [illegible] completed the troops will be returned. 271
July 20, Halifax. Same to the [illegible] removal of the 59th from Louisbourg will be
Thanks for [illegible] of the inhabitants and the coal mines,
the differe[illegible] will be worked without interruption by any
Scotia and [illegible] Since the peace Louisbourg has been the
with the I[illegible] so long as the troops were there the civil
defray [illegible] but now there is reason to fear total anarchy.
can be [illegible] 274
from [illegible] of the two immediately preceding letters is
quiet [illegible] P. 16 and P. 17).
from [illegible] Was sorry to find that the refractory
[illegible] of Boston had made it requisite to withdraw
[illegible] Scotia, a circumstance alarming to the new
[illegible] danger from the Indians, who may be stirred up
[illegible] Miquelon and St. Peters. Their unreasoning
[illegible] the chain of out posts without even a corporal's
[illegible] doubt the strength of Government. Hopes
[illegible] that some attention will be paid to this infant
[illegible] whose advantages cannot fail to render it consider-
July 20, Halifax. 277
[illegible] (Hillsborough) to Campbell. Has received from
[illegible] account of the coal contract, which it was under-
[illegible] 12th December, but which was conditional on the
[illegible] carried away. The opening this gives for abuse,
[illegible] contract it is to be fulfilled, but no other con-
[illegible] granted for carrying off coal, except for the
[illegible] The steps taken by Francklin for the establishment in
[illegible] disapproved of; he was to report what
[illegible] might be necessary, but only to make temporary
[illegible] The bills he has drawn have exhausted the contingent
[illegible] should more bills arrive, as seems probable, fears
July [illegible] Halifax [illegible] and the loss fall on Francklin, as there is no pub-
[illegible] of them. The establishment to be discontinued
[illegible] upon the Kingdom except for a reasonable
July [illegible] Halifax [illegible] for extra trouble in laying out town lots. 157
[illegible] vol. 1, p. 33).
[illegible] State (Hillsborough). Sends estimate for
[illegible] 260

1768.

Enclosed. Account of quit rents. Col. Cor. N. S. vol. 3, 187
Abstract of grants of land registered between the 17th December, 1767, and 7th July, 1768. 189
Account of cash received for fines arising on grants of land. 197
Arrears of quit rents due at Michaelmas, 1767. 198

y 22, ifax. Francklin to Secretary of State (Hillsborough). An alphabetical list of English and British statutes, expressly or virtually extended to the colonies has been prepared by Mr. Justice Duport, under the inspection of Chief Justice Belcher, and is now submitted to His Lordship. 201
Enclosed. Alphabetical table of Statutes to 1764. 203
A similar letter (but the enclosure does not accompany it), written on the same day to the Lords of Trade. P. 15, B. T. N. S. vol. 25

y 31, ifax. Francklin to Secretary of State (Hillsborough). Morris, the chief surveyor, Deschamps, first magistrate, and other officials, have arrived on the Island of St John and taken the State oaths. Morris has laid out the land on which Charlottetown is to be built; its favourable situation, except for the want of depth of water for vessels near the town. The officers of government have been hutted and are now building a small house for winter. Sends return of the inhabitants to the 21st instant; a few have arrived since. Morris has laid out Georgetown and will proceed to Princetown to do the same. The risk of a scarcity of provisions has induced him to lay in six months' supply to be paid for. The necessity and utility of the post at Tatamagouche; the services rendered by the troops at Fort Amherst on the island; is afraid of being driven to great difficulties should the proposed removal of the detachment of the 59th take place. Col. Cor. N. S. vol. 3, p. 229
Enclosed. Return of the number of persons residing on the Island of St. John on the 21st July. 234
(The total number given is 68, but as this only included those settled on land, the return is worthless for statistical purposes).
Plan of Charlottetown. 249

gust 5, ifax. Francklin to Secretary of State (Hillsborough). Sends minutes of Council and laws passed last session. Sends two reserved bills, one to prevent the importation of impotent, lame and infirm persons, the other to establish the rate of interest. Remarks on these bills. 236
Enclosed. List of Acts. 239
Copies of the Acts mentioned. 242, 245

gust 9, ifax. Francklin to Secretary of State (Hillsborough). Sends plan of Georgetown. 248
Plan of Georgetown. 250
Estimate for the expense of government for one year. 251

gust 13, itehall. Secretary of State (Hillsborough) to Campbell. Sends additional instructions respecting the laws of impost and excise. 91
(The instructions are in Col. Off. N. S. vol. 1, p. 30).

gust 29, ifax. Francklin to Secretary of State (Hillsborough). In consequence of the withdrawal of troops from the island of Cape Breton, all the inhabitants who have property will leave, as the greater part of the people on the island are the dregs of the English and French garrisons, and the same class from Newfoundland and the continental part of Nova Scotia, from whom every irregularity and disorder may be apprehended. The first magistrate also proposed to leave, but has been induced to remain on the promise of a salary of £100. In order to get as many as possible to remain, has allowed them to occupy the houses at Louisbourg. Suggests that such houses as are not destroyed might be given away on certain conditions. Major Milward of the 59th has expended a considerable sum in buildings and improvements on lands in the north east harbour of Louisbourg and asks for a grant of 500 acres.
P. 8. B. T. N. S. vol. 25

1768.

A similar letter written to the Secretary of State (Hillsborou
the same day. Col. Cor. N. S. vol. 3,
Enclosed in the latter. The present state of the island of Cape

September 9, Halifax. Francklin to Secretary of State (Hillsborough) Has received
the speech of the Commissioners at the opening of the new Par
and news of the death of Princess Louisa.

September 9, Halifax. Same to the same. Has received notice of the murder of
Odgers, of which Melchisedeck Kinsman is accused. Shall tak
legal measure to apprehend Kinsman should he appear in the P

September 9, Halifax. Same to the same. Every possible assistance and support
given to the officers of customs, but he knows of no obstructi
have met with in the Province.

September 12, Halifax. Campbell to the same. Had arrived on the 10th; was conce
receive a letter from Gage that part of the troops must be rem
Boston. Is sorry that any part of the American dominions shou
its allegiance. Nothing could happen so prejudicial to the
Province as the removal of the troops; their withdrawal would
the thinly inhabited settlements to attacks from the Indians.
that as soon as the service is completed the troops will be retur

September 12, Halifax. Same to the same. The removal of the 59th from Louisbourg
attended by a total desertion of the inhabitants and the coal
ordered not to be touched, will be worked without interruption
who choose to go there. Since the peace Louisbourg has b
receptacle of adventurers: so long as the troops were there
power could be enforced, but now there is reason to fear total a

(There are duplicates of the two immediately preceding le
B. T. N. S. vol. 25, marked P. 16 and P. 17).

September 12, Halifax. Campbell to Barrington. Was sorry to find that the re
behaviour of the people of Boston had made it requisite to wi
the troops from Nova Scotia, a circumstance alarming to t
settlers, owing to the danger from the Indians, who may be sti
by emissaries from Miquelon and St. Peters. Their unre
character; the leaving the chain of out posts without even a co
guard must lead them to doubt the strength of Government.
when order is restored, that some attention will be paid to thi
struggling Province, whose advantages cannot fail to render it c
able hereafter.

September 12, Whitehall. Secretary of State (Hillsborough) to Campbell. Has receive
Francklin a particular account of the coal contract, which it was
stood would expire on 13th December, but which was conditiona
whole 3,000 tons being carried away. The opening this gives fo
but as it was part of the contract it is to be fulfilled, but no oth
tract is to be made or license granted for carrying off coal, except
use of the troops. The steps taken by Francklin for the establish
the Island of St. John entirely disapproved of; he was to repor
future establishment might be necessary, but only to make tem
arrangements. The bills he has drawn have exhausted the con
vote for Nova Scotia; should more bills arrive, as seems probabl
they must be protested and the loss fall on Francklin, as there is
lic fund for the discharge of them. The establishment to be disco
and no expense to be thrown upon the Kingdom except for a res
allowance to the surveyor for extra trouble in laying out town lo
(Copy in Col. Off. N. S. vol. 1, p. 33).

September 13, Halifax. Campbell to Secretary of State (Hillsborough). Sends estim
civil establishment.

1768. *Enclosed.* Estimate for 1769. Col. Cor. N. S. vol. 3, p. 261

(The year is written 1759, but endorsed 1769, which is correct. See letter from the Secretary of State, dated 15th November, 1768, acknowledging receipt of this letter and "estimate for the ensuing year." Duplicates of the letter and estimate are marked P. 6 and P. 7, in B. T. N. S. vol. 25).

tember 14, lifax. Francklin to Secretary of State (Hillsborough). The gratification the assembly will feel at the King's sense of their dutiful behaviour. 266

tember 15, lifax. Same to the same. The arrival of Campbell and the departure of the King's troops for Boston are so recent as to prevent him from sending a perfect state of Cape Breton and Louisbourg. 267

tember 26, lifax. Same to the same. Sends plan of Louisbourg, and state of public buildings and other houses, corrected to 10th August, when the troops were withdrawn. How the houses are occupied; no rent to be taken in the meantime, but an acknowledgment so as to encourage the people to remain. Proposes the buildings to be disposed of thus: for houses in good repair, two pence; in tolerable repair, one penny; in bad repair, one half-penny; in ruins, one farthing; each rate for every four square feet the building stands on; lots laid out for yards and garden, one penny for every 100 square feet; the property to be granted in fee simple, but not to be alienated for ten years, with the usual forfeiture clause. For the township of Louisbourg 10,000 acres should be appropriated, with a common near the town, the situation of which is indicated, to consist of 500 acres and pasture lots divided into five acres each. Other lands for a glebe, school and other public purposes. Sends lists of occupants by license now in possession and of licenses of occupation for lands farther from the water than the reservations. 279

Enclosed. State of the town of Louisbourg on the 10th August, showing houses (numbered on the plan which follows); of what material (stone or wood); state of repair; whether previously occupied by the French as private or public buildings; by whom at present occupied. Most of the houses are marked "private"; only 21 names are given as those of occupants. 288

Lists of improvements made on the island of Cape Breton; at Louisbourg (p. 294); Manadou (Main à Dieu?) (295); Le Baleine (295); Caberous (Gabarus) Bay (295); Bras Dor (Bras d'Or) (296); Miré River (296); Petit Degrat (296). The names of the occupants are all given. 294 to 296

List of licenses of occupation. Names of holders given. 297

Plan of Louisbourg; lots numbered. 299

(Duplicates of letters and enclosures are attached to Order in Council of the 22nd December, marked P. 38, B. T. N. S. vol. 25).

tober 1, lifax. Campbell to Secretary of State (Hillsborough). Has received dispatches stating the King's favourable disposition towards his Acadian subjects who shall return to a due sense of their condition and dependence and directing an inquiry and report on the state and condition of Louisbourg and lands adjacent. 300

tober 1, lifax. Same to the same. Shall transmit remarks on the alterations that may be necessary in the instructions. Why there has been so little improvement in the revenue from quit rents. 301

tober 12, hitehall. Secretary of State (Hillsborough) to Campbell. The King approves of the steps taken by Francklin, in the appointment of Baillie as priest among the Indians and the continuance of a chief magistrate at Louisbourg, for whom provision would be made. The magistrate at Louisbourg is to be a person of trust and confidence; he is to watch carefully and report the proceedings at Miquelon and St. Peters, the number of the vessels, &c., and whether France conforms to the treaty of Paris, in

1798.

desisting from erecting any fortifications or introducing more troops than are stipulated by that treaty and whether they carry on illicit trade with the colonies. The petition of Major Milward for a grant on Cape Breton, shall be considered when measures are taken for general grants there. Col. Cor. N. S. vol. 3, p. 257

(Duplicate in Col. Off. N. S. vol. 1, p. 38).

October 25, Halifax. Campbell to Secretary of State (Hillsborough). His fears of the evil effect on the Indians of the withdrawal of troops and the danger to the out-settlements. Their situation is different from that of the inland settlements on the continent, which are populous and strong enough to resist Indian attacks, the out-settlements having, in fact, been established for the purpose of resisting any attempt made by the Canadians, when subjects of France, joined to the Indians. Calls attention to the importance of Halifax, where a royal naval yard is in process of construction. [illegible]

November 5, Halifax. Francklin to the same. Campbell embarked yesterday 4th November) for Boston, to remain only for a few days. He (Francklin) will do his utmost for the King's service during His Lordship's absence. P. 19, B. T. N. S. vol. 25

November 15, Whitehall. Secretary of State (Hillsborough) to Campbell. Finds by his letter of 13th September that he had arrived safely; has received enclosed estimate for the ensuing year. Birth of a Princess (Augusta, born on the 8th, died in 1840). Sends the King's speech and addresses at the opening of Parliament. The resolution to maintain supremacy over every part of the British Empire, will, he hopes, defeat the wicked views of those who seek to create dissension between Great Britain and her colonies. The appointment of an agent for Nova Scotia recommended, under the direction of a joint committee of the Council and Assembly. Col. Cor. N. S. vol. 3, p. [illegible]

(Duplicate in Col. Off. N. S. vol. 1. p. 40).

November 18, Boston. Campbell to Secretary of State (Hillsborough). Explains the nature of the contract with Gerrish, Amesbury and others for taking coals from Cape Breton, the ease with which coals could be carried off by any one, the amount raised for opening roads, his ignorance of the claims to extend the time from 13th December, and the saving of the expenses of overseers on the roads by his own personal supervision. His concern at the disapproval of Francklin's plan for the settlement of St. John's Island; too great zeal had hurried Francklin into the measure; he (Campbell) would have understood the instructions as they clearly mean, but it will be a severe chastisement to Nova Scotia should the Province be deprived of the contingent money to answer the mistaken procedure of Francklin's administration; the withdrawal of the military and naval forces was a sufficiently severe shock to the infant settlement. Is satisfied that His Majesty's care will extend to his most distant and poorest subjects and trusts that the grant for roads will be continued. Had stopped the expenditure on the Island of St. John, and will strictly observe orders respecting that island and all other departments. Col. Cor. N. S. vol. 4, p. 1

(A duplicate, marked P. 20, is in B. T. N. S. vol. 25).

November 27, Halifax. Francklin to Secretary of State (Hillsborough). The meeting and adjournment of the Legislature till the 12th December, by which time he hopes Campbell may have returned from Boston. The usual good temper prevailed during the session. P. 21, B. T. N. S. vol. 25

November 28, War Office. Barrington to the same. Sends copy of letter from Campbell, the disposition of troops in America not being in his (Barrington's) department. Col. Cor. N. S. vol. 43, p. 276

Enclosed. Letter from Campbell to Barrington of 12th September, which see.

1768.
vember 29, Francklin to Lords of Trade. Contradicts the report in American
lifax. papers, that murders had been committed in Cape Breton by Indians.
P. 22, B. T. N. S. vol. 25

ember 1, Same to Secretary of State (Hillsborough). Transmits audited accounts
lifax. of the expenses for the settlement of the Island of St. John.
Col. Cor. N. S. vol. 4, p. 49

ember 9, *Enclosed.* Accounts, abstracts, &c., (43 documents). 51 to 110
lifax. Campbell to Secretary of State (Hillsborough). Has returned from

ember 10, Boston. Col. Cor. N. S. vol. 4, p. 3
itehall. Secretary of State (Hillsborough), to Campbell. His letters on the defence of Nova Scotia referred to Gage. The troops drawn from Halifax shall be returned when the necessity that calls for them ceases to exist. Shall be glad to receive report on the state of Louisbourg, but the consideration of the promotion of the settlement shall be taken on the report made by Francklin in letter dated 26th September.
Col. Cor. N. S. vol. 3, p. 307

ember 12, (Duplicate in Col. Off. N. S. vol. 1, p. 43).
James's. Order in Council referring the petition of Colonel John Hale for 10,000 acres in Nova Scotia to the Lords of Trade for consideration and

ember 15, report. The petition is attached. O. 57, B. T. N. S. vol. 22
lifax. Campbell to Secretary of State. Before leaving for Boston had received instructions for the repeal of the Impost and Excise Acts. When the Assembly reassembles shall bring the subject before it.
Col. Cor. N. S. vol. 4, p. 5

Enclosed. Address by the Assembly for adjournment to 23rd January. 7

ember 20, (Duplicates, marked P. 23 and P. 24, are in B. T. N. S. vol. 25).
lifax. Campbell to Secretary of State (Hillsborough). Reports on Forsythe's petition for renewal of a grant of lands, made to him in 1732. The lands being long unoccupied and no quit rent paid, were escheated and regranted, a reserve being made of mines. Col. Cor. N. S. vol. 4, p. 8

ember 22, (Duplicate marked P. 25, in B. T. N. S. vol. 25).
itehall. Order in Council referring proposal in letter from the Lieutenant-Governor of Nova Scotia, dated 26th September, with his opinion of the best method of disposing of the houses and lands at Louisbourg, to be considered with other papers relative to granting lands and reviving the town of Louisbourg. (Attached were the letter, plans, &c., for which

ember 22, see 26th September).
itehall. Lords of Trade to Committee of Council. Recommend that a grant

1769. of 10,000 acres in Nova Scotia be made to Colonel John Hale.
uary 3, B. T. N. S. vol. 38, p. 241
lifax. Campbell to Secretary of State (Hillsborough). Sends copies of Acts, journals of Assembly and two reserved bills, for preventing the importation of impotent, &c., persons and for establishing the rate of interest. These were formerly disallowed, but the objectionable clauses are removed and they are very necessary. Col. Cor. N. S. vol. 4, p 10
(A duplicate is marked P. 12, in B. T. N. S. vol. 25, followed by the

uary 6, Acts as amended).
lifax. Campbell to Secretary of State (Hillsborough). Transmits and recommends memorial from the Attorney General. Col. Cor. N. S. vol. 4, p. 13
Enclosed. Memorial from Nesbitt, Attorney General, stating his services in that office since 1753, and praying for payment of his salary

uary 9, of £82 10s. 0d. from 1st January, 1764. 14
lifax. Campbell to Secretary of State (Hillsborough). Sends reserved bill for empowering the Supreme Court, sitting at Halifax, to try offences committed in other countries. 16*a*
(Duplicate marked P. 26, in B. T. N. S. vol. 25 and an extract in same volume, not marked).

1769.
January 9, Halifax. Campbell to Secretary of State (Hillsborough). Transmits m
of Council from 14th July to 26th December and duplicates fro
January to 30th June, 1768. Col. Cor. N. S. vol. 4
(Duplicate, marked P. 27, in B. T. N. S. vol. 25).

January 13, Halifax. Campbell to Secretary of State (Hillsborough). His fears exp
in his letter of the 12th September, as to the effect on the Indians
withdrawal of troops have not been ill-founded; they are now dem
provisions in such terms as show they know the weak state
interior parts of the Province. His attention to make himself ind
ent of assistance so far as is possible. Absence of Gorham, agent
Indians under Sir William Johnson. Is afraid that the sum o
which he had mentioned, will not be sufficient to supply the
with blankets, &c. Has on every occasion recommended them t
vate their land, and hopes that these admonitions may in time h
desired effect. Col. Cor. N. S. vol.
(Duplicate, marked P. 28, in B. T. N. S. vol. 25).

January 13, Halifax. Campbell to Secretary of State (Hillsborough). Sends prop
the officer commanding the troops for the defence of Halifax, wh
(Campbell) thinks may now be looked upon as the northern key
Majesty's dominions. The advantages of its harbour, &c.; the
effected by Hood in the embarkation of troops by the King's ship
they were wanted. Hopes the estimate made by Spry of th
of defence may be approvod of. Col. Cor. N. S. vol.
Enclosed. Report of the state of defence of the town and har
Halifax.
(Duplicate of letter, P. 29, B. T. N. S. vol. 25).

February 9, Whitehall. Estimate for 1769. B. T. N. S. vol. 38,
Particular distribution.

February 9. Memorial of Sir William Mayne and others, for the grant of
ship in Nova Scotia. P. 11, B. T. N. S.

February 20, War Office. Barrington to Secretary of State (Hillsborough). Encloses
from representation, that in the absence of the Governor the "
"Governor or such of the Council as may happen to be in con
"shall receive a moiety of the salary and emoluments of the Go
"during the time he may continue in the command." Desires to
the nature and date of the instructions on that head.
Col. Cor. N. S. vol.

February 24, Whitehall. Secretary of State (Hillsborough), to Barrington. Sends copy
95th Article of instructions to the Governor of Nova Scotia,
directs the provision to be made for the support of the Lieut.-Gov
or Commander-in-Chief of that Colony, in absence of the Governo
Col. Off. N. S. vol. 1
Enclosed. Copy of the 95th article.
Copy of the declaration of His Majesty's pleasure, made
Treasury, relative to the salaries of Lieut.-Governor, or othe
mander-in-Chief in the Plantations, upon the occasion of the de
absence of the Governor.

March 1, Whitehall. Secretary of State (Hillsborough), to Campbell. Dispatches,
at Boston, received. The King is satisfied with the attention p
withdrawing the establishment on the Island of St. John, and giv
credit to him (Campbell) for the public-spirited motive which i
him to give the contract for coal. His Majesty has no doubt
course that will be followed by the General Assembly in relation
impost and excise duties. Reserved bills referred to the Lords of
for report. The care of the Indians entrusted to two superinte
for the Northern and Southern districts, so that the Governors
incur no expense on their account. Should any unforeseen occu
demand expense he is to communicate with Sir William Johnso

1769. has already a deputy in Nova Scotia. Sends estimate for the civil establishment of Nova Scotia for 1769. Col. Cor. N. S. vol. 4, p. 38

(For estimate and distribution enclosed, see 9th February. Duplicates in Col. Off. N. S. vol. 1, pp. 48, 51, 54).

rch 7, itehall. Lords of Trade to the King. Recommend that 100,000 acres on the continental part of Nova Scotia be granted to Sir William Mayne and associates on the usual conditions of settlement. B. T. N. S. vol. 38, p. 256

rch 15, asury. Treasury to Lords of Trade. Send memorial from Francklin asking provision to be made for payment of £2,210 12s. 10½d. for the settlement of the Island of St. John for consideration. Col. Cor. N. S. vol. 4, p. 44

Enclosed. Memorial. 45

rch 20, lifax. Campbell to Secretary of State (Hillsborough). Had received the King's approval of the appointment of Bailley to officiate as priest to the Indians and of the continuance of a chief magistrate at Louisbourg. The good character of the missionary. The importance of having a small vessel to enable the magistrate at Louisbourg to obtain intelligence of proceedings at St. Peter and Miquelon; has hired a small schooner for this purpose, which he hopes will be approved of. 115

rch 20, lifax. Same to the same. Has assented to two bills respecting the import and excise duties. 118

(Duplicate marked P. 30, in B. T. N. S. vol. 25).

rch 21, lifax. Campbell to Secretary of State (Hillsborough). Has received dispatches with estimates, copies of the King's speeches and addresses in reply and report of the birth of a Princess. Shall communicate to the General Assembly the recommendation for the appointment of an agent. The Council and Assembly had in November selected Cumberland for the office. Col. Cor. N. S. vol. 4, p. 119

(Duplicate marked P. 31, B. T. N. S. vol. 25).

ril 4, lifax. Campbell to Secretary of State (Hillsborough). Has received dispatch that attention will be paid to his application for additional troops. The report on Louisbourg as directed in dispatch of 12th June, had been sent by Francklin after his (Campbell's) arrival and with his approbation. Col. Cor. N. S. vol. 4, p. 121

(Duplicate marked P. 32, in B. T. N. S. vol. 25).

For Francklin's letter, report, &c., see 26th September and also Order in Council of 22nd December, both 1768.

ril 11, itehall. Lords of Trade to the King. Recommend the disallowance of the "Act to prevent the importing impotent, lame and infirm persons into "the Province," on the ground of its vagueness and of the improper penalties it imposes on ship masters, and that the act regulating the rate of interest shall not be assented to until a clause be added to protect those who had made contracts previous to its passing. B. T. N. S. vol. 38, p. 247

ril 18, lifax. Campbell to Secretary of State (Hillsborough). Has appointed Captain Goold to be registrar, the office being vacant owing to the death of Collier. Col. Cor. N. S. vol. 4, p. 131

(Duplicate, marked P. 33, in B. T. N. S. vol. 25).

ril 18, lifax. Campbell to Secretary of State (Hillsborough). Transmits the account of the expenditure of £500 for roads. Would have continued the road to Fort Sackville, blocking out new and repairing old parts, leaving the new to settle, finishing afterwards, but Francklin had expended the amount by finishing as he proceeded. Has made an agreement to continue the road to Fort Sackville, but waits direction before proceeding. Col. Cor. N. S. vol. 4, p. 144

Enclosed. Accounts of expenditure. 147.148

(Duplicates marked P. 34, P. 35, in B. T. N. S. vol. 25).

ril 18, lifax. Brief state of the circumstances of the Protestant dissenters in Nova Scotia. B. M. add. 19,071, fo. 218

1769.
April 24, Whitehall. Lords of Trade to Treasury. Send copies of letters and instructions respecting the settlement of the Island of St. John, containing all the necessary information on Francklin's memorial. Though his conduct has been reprehensible, yet as it arose from mistaken zeal, Lord Hillsborough is of opinion that his case is one for favourable consideration. Col. Cor. N. S. vol. 4, p. 47

April 24 Whitehall. Order in Council, referring for consideration and report, petitions for lands in Cape Breton. P. 39, B. T. N. S. vol. 35

Accompanying the order were the following petitions: Major Edmund Malone, 47th regiment, for lot 17 of 20,000 acres; Lieut.-Colonel Boughey Skey and Lieut. Robert Mackenzie, for two lots, 26 and 27; Moses Franks, 20,000 acres; Capt. Allan McDonald, 25th, 2,500; Jacob Franks, 20,000 acres; Edward Hill, 20,000 acres; Nicholas Turner, 20,000 acres; Benjamin Smith, 20,000 acres; Richard Smith, 20,000 acres; Thomas Martin, lot 55; Capt. Robert Ganham, marines, 10,000 acres; Henry Sayer, 20,000 acres; Anthony Colombies, lot 56; Lieut. George Goodenough, 20,000 acres; Joshua Crump, 20,000 acres; Major Maurice Cane, 75th, 10,000 acres; Richard Shadwell, a township; Lieut. Charles Basset, 47th, lot 20; Lieut. William McMyne, 20,000 acres; William Lavender, 20,000 acres; Isaac Levy for self and Mathias Bush, of Philadelphia, 20,000 acres each; Percival Lewis, lot 22; Colin Drummond, 20,000 acres; Lieut. Walter Steuart, 20,000 acres; Patrick Heron, 20,000 acres; Lieut. Thomas Faunce, two lots; Lieut. Charles Osborn, 49th, a lot; Lieut. James Innis, a lot; Lieut. William Ross, 49th, a lot; Moses Franks for William Emerton, New York, 20,000 acres; Capt. James Stewart, 20,000 acres; Capt. Francis Darks, R. N., 20,000 acres; Napthaly Franks, 20,000 acres; Robert Roberts, 20,000 acres: Thomas Dawkins, lot 19; Capt. George Le Hunter, 20,000 acres; Edward Grace, 20,000 acres; Capt. Thomas Timmins, marines, 20,000 acres; Capt. Richard Stevens, 111th, 20,000 acres; Thomas Lewis, lot 21; Lieut. Richard Gold, 47th, lot 44.

April 24, Whitehall. Pownall to Bradshaw. In answer to memorial from Francklin, enclosed in letter from the Treasury, applying for payment of £2,219 12s. 10½d. expended on account of the settlement of the Island of St. John, sends extracts from correspondence which contains all the instructions on that subject. Francklin's conduct arose no doubt from mistaken zeal, so that his case is an object for favourable consideration. Col. Off. N. S. vol. 1, p. 55

May 3, Whitehall. Order in Council, disallowing the Act to prevent the importing of impotent, &c., persons, and allowing the Act for establishing the rate of interest, provided a clause be inserted for saving and indemnifying persons who have previously made contracts upon loans at interest. Q. 40, B. T. N. S. vol. 26

May 12, Knight's bridge. Granby to Weymouth. Sends letter from the Ordnance respecting the evacuation of garrisons in Nova Scotia and the removal of the stores to Halifax. Col. Cor. N. S. vol. 4, p. 112

Enclosed. Letters from the Ordnance, 1st May. 113

Establishment of the office of Ordnance at Annapolis Royal. 114

May 13, Whitehall. Secretary of State (Hillsborough) to Campbell. The report on the defence of Halifax has been referred to the proper departments. 111

(Copy in Col. Off. N. S. vol. 1, p. 57).

May 17, Treasury. Treasury to Lords of Trade. Transmit account of expenses for the island of St. John, for which bills have been drawn, to be examined and reported on. P. 14, B. T. N. S. vol. 35

May 25, Whitehall. Lords of Trade to Treasury. Report on the account for expenses charged for the island of St. John; the part relating to the hire of vessels, to stores, &c., must be judged on the spot as to its reasonable-

1769. ness; the other part relates to salaries, &c., of officers; these appear to be much the same as those proposed for other establishments.
B. T. N. S. vol. 38, p. 253

y 29, ifax. Campbell to Secretary of State (Hillsborough). Dispatches received, containing approbation of his conduct. Explains his reasons for being absent from the Province, which was censured by the King, as he did not conceive he was prevented by his instructions from going to Boston for a few days. Col. Cor. N. S. vol. 4, p. 149

y 30, itehall. Lords of Trade to Committee of Council. Report on the proposal to erect the island of St. John into a separate government; the plan for the establishment, which is to be constituted without adding to the public expense, and the method of administering the government and dispensing justice. B. T. N. S. vol. 38, p. 260

The estimated annual expense, £1,470, to be raised by quit rents paid by the proprietors. 271. 272

e 1, ifax. Campbell to Secretary of State (Hillsborough). Recommends Goold for the vacancy in the Council, caused by the death of Collier.
Col. Cor. N. S. vol. 4, p. 153

(Duplicate marked P. 36, in B. T. N. S. vol. 25).

e 2, ifax. Campbell to Secretary of State (Hillsborough). Death of Lockman, missionary. Has drawn for quarter's salary to 31st March, and will draw for quarter to 30th June for his widow. Hopes that the allowance, for which she has applied, may be continued to the end of the year.
Col. Cor. N. S. vol. 4, p. 154

(Duplicate marked P. 37, in B. T. N. S. vol. 25).

e 5, ifax. Campbell to Secretary of State (Hillsborough). Reports having taken up a schooner and engaged Woodmass to go in her to ascertain whether commercial communication could be kept up with St. Peters and Miquelon by His Majesty's Canadian and Acadian subjects. Sends copy of the instructions given to Woodmass. Col. Cor. N. S. vol. 4, p. 155

Enclosed. Instructions. 157

e 7, itehall. Secretary of State (Hillsborough) to Campbell. Dispatches received. The directions sent to him (Campbell) did not authorize him to hire a vessel to gain intelligence from Miquelon and St. Peter; does not know, therefore, how the expense is to be met. The officer at Louisbourg is to obtain intelligence as he can. His Majesty's satisfaction at the attention paid by the General Assembly to the recommendation respecting import and excise duties. 123

(Copy in Col. Off. N. S. vol. 1, p. 58).

e 30, ifax. Francklin to Pownall. Sends return of the provisions and stores bought with the money expended for the service of the island of St. John. How they are stored and how they are to be disposed of. 125

Enclosed. The return. 127

At the end of the return is a list of the buildings at Charlottetown. 130

y 5, ifax. Campbell to Secretary of State (Hillsborough). The French have not erected fortifications on St. Peters or Miquelon, nor have they more troops than were stipulated for by the treaty of Paris. Shall send report on the commerce of the islands. 141

y 15, itehall. Secretary of State (Hillsborough) to Campbell. Goold, who has been appointed to succeed Collier as registrar, being an officer of marines, must either resign from that corps or not obtain the other office; the choice is left to himself. 132

(Copy in Col. Off. N. S. vol. 1, p. 59).

y 19, ght's ge. Granby to Secretary of State (Hillsborough. Had received letter respecting citadel at Quebec and returned plan and estimate. Has sent report from the principal officers of Ordnance on part of the business which had been the subject of consideration. 134

1769.

Enclosed. Report on the defences of Halifax, as an arsenal and
of arms. Col. Cor. N. S. vol. 4, p

July 29, Whitehall. Secretary of State (Hillsborough) to Ordnance. Orders are
given to discontinue the Ordnance establishment at Annapolis.

July 29, Whitehall. Same to the same. Sends reports and other documents on the de
less state of Halifax for consideration, with an estimate of the exp
for carrying into execution the necessary works.
(Copies of letters to Ordnance. Col. Off. N. S. vol. 1, p. 61).

August 5, Whitehall. Same to Sir W. Johnson. Asks him to continue Gorham in his
of deputy agent for Indian affairs in Nova Scotia and to promot
if continued. Dartmouth p

August 7, Halifax. Campbell to Secretary of State (Hillsborough). Had report
having hired a schooner and sent Woodmass to St. Peter and Miq
now sends his report, calls attention to that part of it, which rela
Acadians desirous to return to Nova Scotia. The good effect
presence of Baillie the missionary. Sends report from Woodmass
Col. Cor. N. S. vol. 4,

Enclosed. Report by Woodmass.

August 23, Ordnance. Ordnance to Pownall. Spry's report on the defences of H
which was sent on 29th July, refers to plans not received.

August 30, Halifax. Campbell to Secretary of State (Hillsborough). Sends laws, jo
of Assembly and minutes of Council.
Enclosed. List of laws passed between 22nd October, 1768, a
February, 1769.
(Duplicate Q. 1, B. T. N. S. vol. 26).

September 6, Whitehall. Pownall to Campbell. Dispatches received. Col. Off. N. S. vol. 1

September 22, Halifax. Campbell to Secretary of State (Hillsborough). Had advised
having made a contract for completing the road from Halifax t
Sackville; has drawn for £100 on the agent.
(Duplicate Q. 9, B. T. N. S. vol. 26).

September 25, London. Memorial of Crawley for extension of time to settle his land.
Hillsborough's letter of 17th February, 1770.

September 26, Halifax. Campbell to Secretary of State (Hillsborough). On the posit
Capt. Goold, recommended to succeed Collier as registrar and coun
encloses and recommends his memorial. Col. Cor. N. S. vol. 4,
Enclosed. Memorial from Goold, stating his services, asking fo
pay and the appointment to the offices for which he had been r
mended.
(Duplicates in B. T. N. S. vol. 26).

October 24, Halifax. Campbell to Secretary of State (Hillsborough). Sends estimate
expenses for civil establishment for 1770. Col. Cor. N. S. vol. 4,
Enclosed. Estimate.
(Duplicate in B. T. N. S. vol. 26).

October 27, Halifax. Campbell to Secretary of State (Hillsborough). Sends remark
observations on the instructions he had received for his guidance
government of the Province. Col. Cor. N. S. vol. 4,
Enclosed. "Remarks and observations on the King's instru
"to the Governor of Nova Scotia, dated 13th September, 1766,"
parallel columns are the "Objections stated" and "Alteration
posed."
(Duplicates in B. T. N. S. vol. 26).

November 4, Whitehall. Secretary of State (Hillsborough) to Campbell. Dispatches rec
Reminds him of letter on the subject of the expense for takin
vessel to obtain intelligence from Miquelon and St. Peter, no pro
having been made for its payment; the same remark applies to th

1769. ment of Mrs. Lockman. Had referred to the Lords of Trade the recommendation that Goold should be appointed to the Council.
Col. Cor. N. S. vol. 4, p. 178

(Copy in Col. Off. N. S. vol. 1, p. 63).

November 20, Whitehall. Order in Council referring, for consideration and report, petition of Thomas Desbrisay, Lieut.-Governor of St. John's Island, for 20,000 acres in Cape Breton. The petition accompanies the order.
P. 40, B. T. N. S. vol. 25

December 9, Whitehall. Secretary of State (Hillsborough) to Campbell. Had already written about the engagement of Woodmass. Dispatches received and some of them referred to Lords of Trade. Col. Cor. N. S. vol. 4, p. 180

(Copy in Col. Off. N. S. vol. 1, p. 64).

December 14, Halifax. Campbell to Secretary of State (Hillsborough). The General Assembly met on the 10th October and prorogued on the 9th of November; sends list of the laws passed. Col. Cor. N. S. vol. 5, p. 3

Enclosed. List of Laws. 4

1770. January 12, Halifax. Campbell to Secretary of State (Hillsborough). His concern at misunderstanding letters respecting intelligence from St. Peter and Miquelon; but for the importance of the object and the inconsiderable expense, he would not have taken the measure [of hiring a schooner]. The allowance to Lockman was voted and he had recommended that on his death it should be paid to his widow. 17

(Duplicate in B. T. N. S. vol. 26).

January 18, Whitehall. Secretary of State (Hillsborough) to Campbell. Dispatches received; shall obtain instructions to submit estimate to Lords of Trade, but cannot hold out hopes that his proposition as to roads will be adopted. If Goold gives up his military employment and the choice is properly notified, he shall take the King's pleasure to confirm him as registrar. Sends the King's speech and addresses in reply. The great seal to be transferred from Camden to Charles Yorke, who is to be created a peer. (Yorke died suddenly before his patent as Lord Morden was completed).

(Copy in Col. Off. N. S. vol. 1, p. 65).

February 5, London. John Greeve, memorial for 20,000 acres in Nova Scotia.
P. 42, B. T. N. S. vol. 25

February 7, Whitehall. Lords of Trade to the King. Recommend a grant to John Greeve, of Lurgan, Ireland, of 10,000 acres in Nova Scotia, being half the quantity asked. B. T. N. S. vol. 38, p. 273

February 7, Whitehall. Estimate for the civil establishment of Nova Scotia. 276

February 13, Ordnance. Ordnance to Secretary of State (Hillsborough). Apprehend that the batteries when repaired can be of little defence to Halifax and that any works on the hill behind the town, cannot be a security for the harbour or dock yard. Send copies of reports made by the engineers.
Col. Cor. N. S. vol. 5, p. 5

Enclosed. Report by Skinner, chief engineer, on the reports by Captains Brewse and Debbing on the defence of Halifax. 7

Report by Captain Brewse. 9

February 15. Captain Allan Macdonald. Respecting a previous petition sent to Lords of Trade on 4th April. P. 43, B. T. N. S. vol. 25

(This petition for land was referred to the Lords of Trade, for consideration and report, on the 24th April. It is one of many others referred on that date).

February 17, Whitehall. Secretary of State (Hillsborough) to Campbell. Calls attention to the delay on the part of the officer whose duty it is to furnish copies of the laws, journals, &c., and desiring His Lordship to take notice of it, so as to secure greater diligence. Sends copies of reports and other documents on the defence of Halifax. Death of Yorke; the Great Seal put in Commission. Col. Cor. N. S. vol. 5, p. 13

1770.

(Copy in Col. Off, N. S. vol. 1, p. 67).

February 17, Whitehall. Secretary of State (Hillsborough) to Campbell. Crawley, who had received a grant of land in 1765, prays for an extension of time to fulfil the conditions; the King recommends that the indulgence may be granted him. Col. Cor. N. S. vol. 5, p. 5

(Copy in Col. Off. N. S. vol. 1, p. 69; for Crawley's memorial see 25th September, 1769).

March 3. Memorial (undated) representing the condition of the land between Baie Verte and Chaleurs Bay, the most productive of fish of any part of all America and praying for the appointment of a sub-Governor to the district. Read on the date in the margin. P. 44, B. T. N. S. vol. 25

March 6, Halifax. Campbell to Secretary of State (Hillsborough). Death of Moreau, French Protestant missionary at Lunenburg; Bryzelius, the remaining missionary, will answer all the purposes of the mission, so that the stipend might be applied for the service of another settlement. Encloses and recommends the memorial of Moreau's widow for relief. Col. Cor. N. S. vol. 5, p. 20

Enclosed. Memorial. 22

(Duplicates are in B. T. N. S. vol. 26).

March 7, Whitehall. Pownall to Campbell. Sends estimate. Col. Off. N. S. vol. 1, p. 72

Enclosed. Estimate for 1770. 73

March 16, Whitehall. Order in Council referring, for consideration and report, the petition of Captain William Baillie, late 17th Dragoons, for 10,000 acres in Nova Scotia. The petition is attached to the order. P. 45, B. T. N. S. vol. 25

March 24, Whitehall. Secretary of State (Hillsborough) to Governors of Nova Scotia and New Hampshire. Sends *Gazette* containing remonstrance to the King, with His Majesty's answer and proceedings in Parliament. Col. Cor. N. S. vol. 5, p. 16

March 29, Whitehall. (Copy addressed specially to Campbell in Col. Off. N. S. vol. 1, p. 75).

April 11, Whitehall. Lords of Trade to Committee of Council. Recommend a grant of 10,000 acres in Nova Scotia to Captain William Baillie. B. T. N. S. vol. 38, p. 279

April 26, Halifax. Secretary of State (Hillsborough) to Campbell. His letter of 12th January, received; there are no contingent services voted for in the estimate for 1770, so that there are no funds to pay the expense he mentions. Col. Cor. N. S. vol. 5, p. 19

(Copy in Col. Off. N. S. vol. 1, p. 76).

May 4, Halifax. Campbell to Secretary of State (Hillsborough). The time for sending copies of the laws is three months after the closing of the Session; they would, however, have been sent by the same vessel as carried his letter, but for the risk to a lumber-laden vessel sailing in winter; the practice is to wait for a sure conveyance. Goold has written resigning his commission. Shall grant to Crawley the indulgence recommended. Has dissolved the Assembly for reasons given. 29

(Duplicate in B. T. N. S. vol. 26).

May 8, Ordnance. Campbell to Secretary of State (Hillsborough). Sends copies of the laws passed by the Legislature, with minutes and journals. Col. Cor. N. S. vol. 5, p. 32

(The laws are in printed collection among the Archives. In the Record Office, London, the minutes and journals may be found in vols. 52 and 53 of the Board of Trade papers).

Ordnance to Secretary of State (Hillsborough). Send extracts from the storekeeper at Annapolis Royal respecting the buildings, with a plan of the fort. Col. Cor. N. S. vol. 5, p. 24

May 10, Halifax. *Enclosed.* Extract from Thomas Williams, storekeeper, dated 12th January. 25

Plan of the fort of Annapolis Royal. 26

Goold to Secretary of State (Hillsborough). Thanks for the promise

1770.
ne 12, of appointment. Has written to the Admiralty resigning his commision
ndon. in the Marines, but asking for half pay. 28

Power of attorney by Hugh Bailley, LL.D., Hugh Bailley, junior, and Allan Auld, to George Walker, empowering him to apply to the Governor and Council of Nova Scotia for 30,000 acres at Caraquet, in the Bay of Chaleurs, in name of Hugh Bailley, LL.D.; 30,000 acres on the south side of the Rustigore (Restigouche?), including the salmon fishery, in name of Allan Auld; the river Menmachee (Miramichi?) with the fisheries above and below those granted to Davidson and Corte, with three miles back and the branches of the river, in name of Hugh Bailley, junior; 10,000 acres at Nepesiquet (Nepisiguit?), with the rivers and fisheries, and 1,000 acres at Belldown (Belledune), with the beach and pond, in name of George Walker, late commander of the squadron of private ships of war, now of Nova Scotia. Col. Cor. N. S. vol. 6, p. 8

ne 12, (This application was enclosed in Campbell's letter of 22nd Decem-
lifax. ber; a duplicate is in B. T. N. S. vol. 26).

ne 12. Proceedings of the Executive (called Privy) Council of Nova Scotia
hitehall. from 5th January, 1770, to date in margin. B. T. N. S. vol. 55, No. 8

Secretary of State (Hillsborough) to Campbell. Is sorry for the death of Moreau; the King approves of the salary being paid to the widow and children till a successor be appointed. Col. Cor. N. S. vol. 5, p. 27

ne 13, (Copy in Col. Off. N. S. vol. 1, p. 76).
lifax. Campbell to Secretary of State (Hillsborough). Dispatches, with estimate, received. The General Assembly now sitting has not discovered any of the licentious principles with which the other Colonies

ne 26, are infected. Col. Cor. N. S. vol. 5, p. 36
easury. Treasury to Lords of Trade. For report on memorial for payment of £3,394 10s. 1d. due for provisions to the Indians. P. 47, B. T. N. S. vol. 25

(The papers do not accompany the letter; they appear to be the same as those marked P. 7 x 8, transmitted by Francklin on 17th January, 1768, which see).

ne 27, Campbell to Secretary of State (Hillsborough). Sends duplicates of
lifax. laws passed last session, journals of both Houses, and minutes of Council up to 16th December last. Col. Cor. N. S. vol. 5, p. 37

(The laws are in printed collection among the Archives. The minutes of Executive Council mentioned cannot be traced).

ne 30, Campbell to Secretary of State (Hillsborough). Reports that an
lifax. inhabitant of Louisbourg had dug 500 tons of coal on Cape Breton for his own advantage. At his (Campbell's) request, troops had been stationed as a guard at the mines. Has offered the coal for fuel to the troops, but if its removal to Halifax be considered too expensive, shall think of some other way of disposing of it. Col. Cor. N. S. vol. 5, p. 38

(Duplicate in B. T. N. S. vol. 26).

ly 5, Campbell to Secretary of State (Hillsborough). The General Assem-
lifax. bly, which met on the 6th June, prorogued on the 2nd instant. Transmits list of laws, copies of which are preparing; also reserved Act to raise £1,000 for roads by lottery; is doubtful of its success. Sends copy of a paper comparing the provisions of the Act with those in Acts of Parliament for such purposes. Col. Cor. N. S. vol. 5, p. 40

Enclosed. List of Laws. 42

Reserved Act for raising £1,000 by lottery or lotteries, for building bridges and making roads. 45

Comparison of the law of Nova Scotia for a lottery, with Act of Parliament for the same purpose. 55

(Duplicates of letter and enclosures are in B. T. N. S. vol. 26).

ly 6, Secretary of State (Hillsborough) to Campbell. The importance of
hitehall. forwarding as early as possible the Acts of the Colonial legislature which, according to instructions, should be sent within three months

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"or sooner if opportunity offers." Goold's application will be laid before the King, when notice has been received of the resignation of his commission in the Marines. Hopes the new Assembly will take measures to provide for the debt, &c. Col. Cor. N. S. vol. 5, p. 33
(Copy in Col. Off. N. S. vol. 1, p. 77).

July 11, Whitehall. Lords of Trade to Treasury. In regard to claim for supply of provisions to Indians in Nova Scotia, the expense was incurred without authority, but it is for the Treasury to determine whether those who supplied the articles in good faith on the order of the Governor, of whose authority they could have no doubt, should be precluded from payment of their demands. B. T. N. S. vol. 38, p. 282

July 18, London. Opinion of Counsel (Richard Jackson) on Act to empower the Supreme Court sitting at Halifax to try offences committed in other counties and amendment to Act for partition of lands in coparcenary. They are suited to present circumstances, but should have been limited in duration. P. 48, B. T. N. S. vol. 2

July 20, Whitehall. Lords of Trade to the King. Recommend that the Act for the trial at Halifax of offences committed in other counties and that for the partition of lands in coparcenary should be assented to.
B. T. N. S. vol. 38, p. 287

July 20, Halifax. Journal by William Johns. Enclosed in letter from Admiralty of 9th January, 1771, which see.

July 27, Whitehall. Secretary of State (Hillsborough) to Ordnance. Such part of the building materials, &c., at Annapolis as cannot be used for other military services are to be sold. Col. Cor. N. S. vol. 5, p. 35
(Copy in Col. Off. N. S. vol. 1, p. 79).

August 30, Halifax. Campbell to Secretary of State (Hillsborough). Has received notice of the King's allowance to the widow of Moreau, late missionary, and copies of Acts relating to America. Col. Cor. N. S. vol. 5, p. 37
(Duplicate in B. T. N. S. vol. 26).

August 30, Halifax. Campbell to Secretary of State (Hillsborough). Sends copies of Acts, minutes and journals. Col. Cor. N. S. vol. 5, p. 56
(The Acts are in printed collection among the Archives).

September 19, Halifax. Table of fees for the Court of Escheats. B. T. N. S. vol. 26, p. 143

September 21, Halifax. Campbell to Secretary of State (Hillsborough). Dispatches received; copies of the Acts were transmitted but duplicates shall be sent by Commodore Hood. Col. Cor. N. S. vol. 5, p. 59
(Duplicate in B. T. N. S. vol. 26).

September 25, Halifax. Campbell to Secretary of State (Hillsborough). Sends duplicates of Acts, &c. Col. Cor. N. S. vol. 5, p. 60

October 9, Halifax. Same to the same. Sends estimate for civil establishment for 1771. Two tracts of 100,000 and 150,000 acres granted to McNutt and others escheated after inquiry by a jury on evidence; asks for instructions as to regranting. Other tracts will soon fall under inquiry; proposes to meet the expense out of the quit rents. 61
Enclosed. Estimate for 1771. 64
(Duplicates in B. T. N. S. vol. 26).

November 15, Whitehall. Secretary of State (Hillsborough) to Campbell. Has received copies of Acts and other documents which have been referred to Lords of Trade. Col. Cor. N. S. vol. 5, p. 58
(Copy in Col. Off. N. S. vol. 1, p. 80).

December 9, St. James's. Order in Council confirming Act to empower the Supreme Court sitting at Halifax to try offenders guilty of felonies in other counties and Act for partition of lands in coparcenary. Q. 41, B. T. N. S. vol. 26
(Duplicate in Col. Off. N. S. vol. 1, p. 82).

December 11, Whitehall. Secretary of State (Hillsborough) to Campbell. Dispatches received; the proceedings in respect to the lands of McNutt and others approved

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of, but no regrants to be made until directions have been given, after receiving the proposal for settlement to be laid before the King. Col. Cor. N. S. vol. 5, p. 66

(Copy in Col. Off. N. S. vol. 1, p. 81).

December 12, Halifax. Proceedings of the Executive (called here His Majesty's) Council from 17th July to date in the margin. B. T. N. S. vol. 55, No. 9

December 17, Whitehall. Lords of Trade to Cumberland. To attend on the 19th and state the balances in his hands. B. T. N. S. vol. 38, p. 300

December 20, Halifax. Goold to Secretary of State (Hillsborough). Has asked leave from the Admiralty to resign his commission in the Marines, but has had no answer. Commodore Hood has allowed him to remain in Nova Scotia and he has sent for his family. Col. Cor. N. S. vol. 6, p. 16

December 22, Halifax. Campbell to the same. Transmits and refers for consideration applications for lands and rivers for fishery in the Bay of Chaleurs, his power to grant lands being limited. It is proposed to settle the lands with people from the Orkneys; the value of such a settlement, which would extend government to a locality now occasionally occupied by vagrant Indians. 6

(Duplicate in B. T. N. S. vol. 26).

December 22, Halifax. Campbell to Secretary of State (Hillsborough). Proposals for a settlement of Indians near Halifax, long desired and now brought about by the exertions of Bailly, the missionary. The good effect of such a step, as in time the Indians may become useful and peaceable subjects. Bailly's good qualities and services; recommends him to His Majesty's favour. Col. Cor. N. S. vol. 6, p. 10

1771.

(Duplicate in B. T. N. S. vol. 26).

January 4, London. Opinion of Counsel (Jackson). There is no objection in point of law to the lottery Act in Nova Scotia, although it would have been better had it been more specific. Q. 8, B. T. N. S. vol. 26

(The day of the month is torn off; the opinion seems to have been dated on the same day as the one which follows).

January 4, London. Opinion of Counsel (Jackson). The Acts submitted to him are proper in point of law. Q. 9, B. T. N. S. vol. 26

January 9, Admiralty. Admiralty to Lords of Trade. Send copy of journal and account of timber found in Nova Scotia in the explorations by William Johns, whose report was addressed to Admiral Hood, dated 20th July, 1770. Q. 4

Enclosed. Journal of Johns. Q. 5

Prices of timber at places named. Q. 6

January 23, Whitehall. Estimate for the civil establishment of Nova Scotia, for 1771. B. T. N. S. vol. 38, p. 290

January 30, Halifax. Campbell to Secretary of State (Hillsborough). Has received secret and confidential letter, to which he will pay attention; other dispatches received. Col. Cor. N. S. vol. 6, p. 15

(Duplicate in B. T. N. S. vol. 26).

February 6, Whitehall. Lords of Trade to the King. Recommend that assent be given to bill for raising £1,000 by lottery for making roads and building bridges, although there are objections to the principle of it. Col. Cor. N. S. vol. 6, p. 1

(Duplicate in B. T. N. S. vol. 38).

February 6, Whitehall. Lords of Trade to the King. Recommend the disallowance of "Act "for taking special bails in the country upon actions depending in His "Majesty's Supreme Court of this Province" for reasons given. B. T. N. S. vol. 38, p. 293

February 11, Whitehall. Secretary of State (Hillsborough) to Campbell. Sends report of the Lords of Trade on bill to raise money by lottery and authorizes him to assent to it. Col. Cor. N. S. vol. 6, p. 3

(Copy in Col. Off. N. S. vol. 1, p. 85).

1771.
February 12, Whitehall. Pownall to Campbell. Parliament has voted £5,796 10s. 5d. for the civil establishment of Nova Scotia, but the sum of £1,500 for building a church, court-house and gaol in Charlottetown is to be drawn for and expended by the Governor of that island. Col. Off. N. S. vol. 1, p. 85

Enclosed. Estimate for 1771. 89

March 6, Whitehall. Secretary of State (Hillsborough) to Campbell. By the estimate sent him, it will be seen that no provision is made for roads. There is, therefore, no fund by which the £100 expended can be met. The only way His Lordship can be reimbursed is through the Assembly charging it to the amount to be raised by lottery. Col. Cor. N. S. vol. 6, p. 4

(Copy in Col. Off. N. S. vol. 1, p. 88).

March 22, London. Opinion of Counsel (Jackson). Sees no objection in point of law to certain of the Acts submitted to him. Points out a contravention of trade policy in the Act for excise on tea, coffee and playing cards, but recommends that it shall pass. The Act for the benefit of the fishery on the coast is void, as the Province cannot legislate on offences committed three leagues from the coast. Q. 15, B. T. N. S. vol. 26

April 8, Halifax. Campbell to Secretary of State (Hillsborough). In consequence of instructions he has ordered the engineer to report on the defences of the harbour; sends copy of report with determinations thereon, the purpose being to make the best opposition possible against shipping by means of the batteries and men of war. Col. Cor. N. S. vol. 6, p. 23

Enclosed. Report by Spry, chief engineer, Nova Scotia, on the defences, &c. 25

Resolution on the steps to be taken for the repair of the batteries in accordance with the report. 30

April 11, Halifax. Campbell to Secretary of State (Hillsborough). To provide for the augmentation of troops ordered, Gage has allotted to each regiment in Nova Scotia a separate district on the Continent in which to recruit. Has received approval of his course with respect to McNutt's lands; others must follow but there are no funds to meet the expense of survey; asks for authority to use the quit rents or other funds for this purpose. Sends account of the expense and minutes of Council from July to December. 19

Enclosed. Table of fees to be taken in the Court of Escheats. 21

(Duplicate, see 19th September).

April 13, Halifax. Campbell to Secretary of State (Hillsborough). Applies for leave of absence on account of his health and sends note of his services. Col. Cor. N. S. vol. 6, p. 38

Enclosed. Note of services. 40

April 18, Halifax. Campbell to Secretary of State (Hillsborough). Orders received by Lieut.-Col. Bruce to embark the 64th and 65th regiments to Boston, without any intimation being made him (Campbell) of the withdrawal of troops. 31

April 18, London. Francklin to Joshua Sharpe. Has not yet taken out his passage, but will not return to America without the knowledge and approbation of Capt. Hughes. A. & W. I. vol. 597, p. 215

April 19. Memorial (undated) for land, received by Lords of Trade on the date in margin. George Walker, formerly commander of the "Royal Family," private ship of war; Hugh Baillie, late of Bengal; William Semple, late of Bengal; Hugh Baillie, Doctor of Laws and Allan Auld, merchant in London, for 15,000 acres each in Nova Scotia. P. 10 to P. 14, B. T. N. S. vol. 26

(In power of attorney of 12th June, the names given here as Baillie were spelled Bailley).

May 4, Whitehall. Secretary of State (Hillsborough) to Campbell. The proposals mentioned in a letter to George Walker are before the Lords of Trade on a memorial presented by the gentlemen interested. The importance of

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having the Indians settled near Halifax, if that can be done without expense to the public; shall be glad of an opportunity to promote the rewarding of Baillie and to assist the commendable object he has in view. Col. Cor. N. S. vol. 6, p. 13

(Copy in Col. Off. N. S. vol. 1, p. 90).

ay 13, hitehall. Lords of Trade to Ordnance. Transmit letter from Gage on the ruinous state of the batteries in Nova Scotia. Col. Cor. N. S. vol. 6, p. 14

ay 22, ndon. Memorial by Dr. Breynton, rector of St. Paul's, Halifax, on behalf of the parishioners, for assistance towards repairing the church.
Q. 16, B. T. N. S. vol. 26

ay 22, hitehall. Lords of Trade to Campbell. Point out that he had assented to a law passed last session for an excise on tea, coffee and playing cards. He is not to assent to a law of the like nature, unless an exception be made for the importation of these articles from Great Britain.
B. T. N. S. vol. 38, p. 298

ne 5, hitehall. Secretary of State (Hillsborough) to Campbell. Reports the birth of a Prince. Col. Cor. N. S. vol. 6, p. 18

(Duke of Cumberland, born on the 5th June, the day the letter was written; died 21st June, 1841).

(Copy in Col. Off. N. S. vol. 1, p. 91).

ne 15, alifax. Campbell to Secretary of State (Hillsborough). Has received dispatch that His Catholic Majesty [the King of Spain] has disavowed the expedition against Port Egmont and agreed to restitution. Has also received authority to assent to the lottery bill. Col. Cor. N. S. vol. 6, p. 50

(Duplicate in B. T. N. S. vol. 26, Q. 18).

ne 20, dmiralty. Admiralty to Secretary of State (Hillsborough). Send copy of letter from Capt. Gambier, respecting the loss of the "Granby" off Nova Scotia, owing to the want of a light in the lighthouse; he complains of the constant want of a light there. Col. Cor. N. S. vol. 6, p. 32

Enclosed. Letter from Gambier, giving an account of the wreck of the "Granby," with all hands, for want of a light, although the lighthouse is "a great annnual expense to government and serves no other "purpose than the shameful one of putting money in the pocket of the "nominee of the Governor, who has long acted with the most barefaced "collusion." Robbery committed on the wreck. 34

ne 22, alifax. Proceedings of Executive Council, from 30th January to 22nd June.
B. T. N. S. vol. 55, No. 10

ly 3, hitehall. Secretary of State (Hillsborough) to Campbell. Approves of the steps taken with respect to the fortifications in consequence of the reported violence of the Spaniards at the Falkland Islands, but he must be cautious about incurring expense for military works without the concurrence of the Commander-in-Chief. The propriety of providing for the expense attending escheats; this may be done by selling at auction the escheated lands, but that belongs to the Treasury, to which he has transmitted the letter. Sends copy of report from Wentworth, surveyor, respecting lands containing timber fit for the King's service, which should be reserved. A searching investigation to be made into the management of the lighthouse, the neglect causing, as alleged by Gambier, the loss of the "Granby" and her crew. If the neglect is proved, the officers are to be severely punished. Col. Cor. N. S. vol. 6, p. 41

(Copy in Col. Off. N. S. vol. 1, p. 92).

ly 3, hitehall. Secretary of State, (Hillsborough) to Campbell. Leave of absence granted him to go to any other Colony on the Continent of America, for such time as may be necessary for the recovery of his health.
Col. Cor. N. S. vol. 6, p. 44

(Copy in Col. Off. N. S. vol. 1, p. 95).

ly 3, hitshall. Secretary of State (Hillsborough) to Campbell. Sends memorial from a settler at Lunenburg for the grant of a small lot of land near the

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town, on which a battery was erected and recommends the case of the memorialist. Col. Cor. N. S. vol. 6, p. 49

Enclosed. Memorial from Detliffe Christopher Jessen. 46

(Copy of letter is in Col. Off. N. S. vol. 1, p. 96).

July 3, Whitehall. Secretary of State (Hillsborough) to Campbell. Recommends Seammell, appointed to be inspector of lands and surveyor of white pine in the eastern part of Massachusetts and that part of Nova Scotia to the north of the Bay of Fundy, for such assistance as may be necessary for him in the execution of his duty. Col. Cor. N. S. vol. 6, p. 49

(Copy in Col. Off. N. S. vol. 1, p. 97).

July 13, Whitehall. Secretary of State (Hillsborough) to Treasury. Recommends, for consideration, the proposal to sell the forfeited lands to meet the cost of the process for escheating. Col. Cor. N. S. vol. 6, p. 49

(Copy in Col. Off. N. S. vol. 1, p. 97).

August 7, Whitehall, Pownall to Campbell. Dispatch received and laid before the King. Col. Off. N. S. vol. 1, p. 98

August 23, Halifax. Campbell to Secretary of State (Hillsborough). The General Assembly met on the 5th June, and finished the session on the 6th July; sends journals and Acts. Col. Cor. N. S. vol. 6, p. 51

(Duplicate, Q. 28, B. T. N. S. vol. 26).

August 29, Halifax. Campbell to Secretary of State (Hillsborough). Has received approval of Indian settlement and information of the death of a Prince, also four Acts of Parliament relating to America. Shall take steps on Bailly's return towards effecting the Indian settlement. Trusts that any unavoidable expense will be sanctioned; he will not exceed £100. Col. Cor. N. S. vol. 6, p. 52

(Duplicate Q. 19, B. T. N. S. vol. 26, in which the month is not given).

September 16, Halifax. Campbell to Secretary of State (Hillsborough). Dispatches received. Only the most urgent necessity could induce him to enter into measures of military defence; he should have stated that they were recommended by Gage. The sale of forfeited lands would only produce a trifle; were the system pursued a combination would be formed to reduce their value. Shall reserve the lands reported on by Wentworth, so soon as they become forfeited. Suggests that 10,000 out of every 100,000 acres should be reserved for timber, otherwise great delay would be caused, waiting for a survey. Shall have the complaint against the lighthouse keeper investigated. Has appointed Charles Proctor to be Provost marshal to succeed Foye, deceased. Col. Cor. N. S. vol. 6, p. 54

Enclosed. Estimate for 1772. 58

(Duplicates Q. 20 and 21, in B. T. N. S. vol. 26).

September 16, Halifax. Campbell to Lords of Trade. Will attend to instructions respecting the excise duty on tea, coffee and playing cards; no objection has hitherto been made to an excise duty. In the minutes of the Lords of Trade of 3rd December, 1762, the opinion is given "that it was never understood "the instruction against laying duties upon the importation of the "Produce & Manufacture of Great Britain extended to prevent them "being excised in common with the produce of other places, either as a "mode of raising money, or a necessary measure of police." Q. 26, B. T. N. S. vol. 26

September 23, Halifax. Same to Secretary of State (Hillsborough). Corrects misrepresentations respecting the lighthouse to Halifax harbour and gives "a just "representation of what relates to it. The lighthouse is a stone build-"ing 62 feet high, erected on the Tope of a rocky Island, 72 feet above "the surface of the Water, so that the light is 134 feet high from the "Water, and is about 12 miles from Halifax." How the funds are raised for its support and the arrangements with the lighthouse keeper.

Q. 22

1771.
tember 27, lifax. Report of the Council of Nova Scotia on the lighthouse for Halifax harbour. Q. 23, B. T. N. S. vol. 26

tember 28, lifax. Campbell to Secretary of State (Hillsborough). Sends account of the income, expenditure and system of keeping up the lighthouse near Halifax, which shows "that there is no nominee and that the charge is "provided for and paid from an appropriated duty, which is £200 "yearly Halifax currency, equal to £180 sterling.
Col. Cor. N. S. vol. 6, p. 61

Enclosed. Decision of Council on the complaint respecting the lighthouse. 64

tember 28, lifax. Campbell to Secretary of State (Hillsborough). Thanks for leave to go to one of the other Colonies for his health; if that is not re-established, asks leave to go to England. 67
(Duplicate Q. 24, B. T. N. S. vol. 26).

ober 8, lifax. Campbell to Secretary of State (Hillsborough). Strongly recommends Cunningham for his conduct in the management of Indian affairs during the absence of Gorham, deputy to Sir William Johnson.
Col. Cor. N. S. vol. 6, p. 75

ober 9, lifax. Same to the Same. Lieut.-Capt. Jadis, who carries the letter, conducted an Indian trade successfully on the St. John River, until his house, store and everything he had were consumed by fire, which he suspects was done by the Indians, as shown in memorial forwarded. There have been frequent complaints of these Indians since Fort Frederick was dismantled. Recommends the construction of a block house higher up the river to overawe the Indians and protect the increasing settlements. 78

Enclosed. Memorial. 80

Account of the house and effects of Jadis, set fire to and burned by the Indians at Gagetown, Sunbury, 6th February, 1771. 83

At the end of the account is a minute of Council, that a copy of the memorial had been sent to the magistrates on St. John River, for inquiry and report. 85

(Among the Dartmouth papers is copy of memorial endorsed: "The "memorial of Chas. N. G. Jadis Esq., requesting a Reparation from "Government of some Losses & Damages sustained by him from the "Indians in Gage Township in 1771." Depositions and other documents relative to the fire are enclosed).

ober 16, lifax. Campbell to Secretary of State (Hillsborough). Changes have been made in construction and management of the lighthouse which, it is hoped, will prevent further complaint. Col. Cor. N. S. vol. 6, p. 68
(Duplicate Q. 30, B. T. N. S. vol. 26).

ober 18, ugerville. Israel Perley to Jadis, on the conduct of the magistrates. Enclosed in letter from Jadis of 31st March, 1773, which see.

ober 18, lifax. Green to Secretary of State (Hillsborough). Campbell sailed yesterday for Boston. He (Green) has taken the administration.
Col. Cor. N. S. vol. 6, p. 69

ember 3, itehall. Secretary of State (Hillsborough) to Francklin. Campbell having gone to the Southern Colonies, he (Francklin) is to proceed at once to Halifax to administer in Nova Scotia. 70
(Copy in Col. Off. N. S. vol. 1, p. 99).

ember 4, itehall. Secretary of State (Hillsborough) to Green. Francklin has been ordered to proceed to Nova Scotia to perform the duties of Lieut.-Governor, during Campbell's absence. Col. Cor. N. S. vol. 6, p. 71
(Copy in Col. Off. N. S. vol. 1, p. 100).

ember 4, itehall. Secretary of State (Hillsborough) to Campbell. Hopes the change will improve his health. Owing to the inconveniences experienced, the rule has been laid down by His Majesty that leave cannot be given to

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Governors to come to Europe whilst holding their commissions. Reports the recovery of the Duke of Gloucester. Col. Cor. N. S. vol. 6, p. 73
(Copy in Col. Off. N. S. vol. 1, p. 100).

December 4, London. Francklin to Secretary of State (Hillsborough). Shall embark for Nova Scotia by the first conveyance. Col. Cor. N. S. vol. 6, p. 74

December 16, London. Rev. Mr. Majendie to Lords of Trade. Sends papers relative to the case of Martel. Q. 25, B. T. N. S. vol. 26

December 18, London. Richard Jackson reports that there are no objections in point of law to the Acts passed in Nova Scotia in June and July, 1771, except to that relating to wills, legacies, executors, &c., which he recommends should be disallowed. Q. 27

1772.

January 11, Whitehall. Secretary of State (Hillsborough) to Campbell. It will be agreeable to him should the appointment of Cunningham to be commissary of Indian affairs be confirmed by Sir William Johnson, in whose department it lies to appoint to that office. Col. Cor. N. S. vol. 6, p. 77
(Copy in Col. Off. N. S. vol. 1, p. 102).

February 5, Whitehall. Estimate for 1772. B. T. N. S. vol. 38, p. 305
(Duplicate, (dated January —) in Col. Off. N. S. vol. 1, p. 103).

February 13, Whitehall. Lords of Trade to the King. Recommend, with reasons, the disallowance of the Act relating to treasons and felonies and that relating to wills, legacies, &c. B. T. N. S. vol. 38, p. 301

February 14, Whitehall. Same to Francklin. Send copy of letter addressed to Lord William Campbell relative to passing laws in Nova Scotia for granting an excise on tea, coffee and playing cards. 207
(The letter mentioned was dated 22nd May, 1771, which see).

March 11, Charles Town. Campbell to Secretary of State (Hillsborough). His eyes are no better; asks for leave to go to England. Recommends Goold for any situation that may be vacant. Col. Cor. N. S. vol. 6, p. 95

March 18, Halifax. Green to Secretary of State (Hillsborough). The great improvement of the light on Sambro' Island, largely due to the ingenious contrivance of Henry Newton. On account of his (Green's) state of health, asks leave to resign as naval officer in favour of his son Charles. Recommends some allowance to Jonathan Binney, chief magistrate at Canso, on account of his services. 96
(Duplicate Q. 32, B. T. N. S. vol. 26).

March 27, Whitehall. Secretary of State (Hillsborough) to Campbell. Changes ordered in the management of the lighthouse service and an allowance for a lighthouse keeper and two servants have been inserted in the estimate for 1772. Mathew Pinnel to be light keeper, giving security; he is to render accounts regularly and act under proper regulations framed either by a committee or by an Act of the legislature. Does not agree with his objection to sell escheated property to pay the cost of escheating; if the land is of so little value, it does not seem worth while to go to expense for forfeiture on the slender chance of receiving a revenue from quit rents. Has, however, referred the question to the Lords of Trade. The method to be adopted in reserving timber lands for the use of the navy. John Fenton appointed Provost marshal in room of Foye; due attention will be paid to the recommendation of Proctor on some other occasion. The claim by Jadis received; his unfortunate situation is not one that arises from causes that make it an object of public consideration. Cannot recommend a military post on the St. John. The sum of £200 is in the estimate for the repair of St. Paul's church at Halifax, Dr. Breynton to be consulted on the plans. Governor Patterson to be permitted (provided it is not private property) to remove the hewn stone from Cape Breton to the Island of St. John for the public buildings. Col. Cor. N. S. vol. 6, p. 87
(Copy in Col. Off. N. S. vol. 1, p. 105).

1772.
ril 20, Green to Secretary of State (Hillsborough). Has received dispatches
lifax. with enclosures. Sends minutes of Council from July to December last.
Col. Cor. N. S. vol. 6, p. 101

Enclosed. Minutes of Council (Executive). 103
(Duplicate Q. 33, B. T. N. S. vol. 26).

ril 20, Order in Council, disallowing Acts relating to treason and felonies and
James's. to wills, legacies, &c. Q. 42, B. T. N. S. vol. 26
(Copy in Col. Off. N. S. vol. 1, p. 112).

ril 26, Campbell to Secretary of State (Dartmouth). Gives an account of the
lifax. contraband trade carried on from Miquelon and St. Peter to the coast from Canceau to Baye des Chaleurs. Death of Bryzelius, missionary to the Germans at Lunenburg; his family are left in distressed circumstances; asks that the remainder of his annual salary be paid to the family. Will ascertain if another missionary at Lunenburg can speak and perform Divine service in English; it would be an advantage were the differences destroyed in the settlement by all speaking English.
Q. 50, B. T. N. S. vol. 26

y 6, Secretary of State (Hillsborough) to Campbell. Two Acts disallowed;
itehall. sends report of the Board of Trade, containing the reasons.
Col. Cor. N. S. vol. 6, p. 94

e 6, Same to the same. He cannot, as already notified, obtain leave of
itehall. absence to come to England during his continuance in office as Governor. Should he be compelled to return on account of his health, timely notice should be sent, so as to give time to appoint a suitable successor. In that case, if consistent with his health, it would be preferable that he should not sail till the arrival of his successor.
Col. Cor. N. S. vol. 6, p. 98
(Copy in Col. Off. N. S. vol. 1, p. 114).

e 6, Secretary of State (Hillsborough) to Green. Francklin, Lieut.-
itehall. Governor, having sailed, all dispatches will be addressed to him. He (Green) cannot be allowed to resign his office of naval officer in favour of his son, as that would establish an improper and inconvenient precedent. Col. Cor. N. S. vol. 6, p. 100
(Copy in Col. Off. N. S. vol. 1, p. 115).

e 26, Francklin to Secretary of State (Hillsborough). Arrived on the 2nd
lifax. instant and found Green very ill, in which state he continues. The present mode of carrying on the lighthouse is to cease, as directed; Matthew Pinnell is appointed keeper. He (Francklin) with two naval officers, is to pay a visit of inspection on the 27th, so as to form a judgment of the regulations required. Instructions respecting reserves of woodlands ordered to be entered on the Council records. The people of Halifax are grateful for the grant of £200 to repair the parochial church, but as Breynton has not arrived, no steps have been taken for laying out the money. Shall take the first opportunity, but that is uncertain, to inform Patterson he is at liberty to use the hewn stone lying on Cape Breton. The General Assembly is now sitting and has continued expiring laws on impost and excise duties, (except that on tea, coffee and playing cards). Col. Cor. N. S. vol. 6, p. 117
(Duplicate, dated 25th, Q. 34, B. T. N. S. vol. 26).

e 26, Francklin to Secretary of State (Hillsborough). The difficulty of
lifax. obtaining a quorum of Council, owing to the sickness and absence of members. Recommends the appointment of Goold and Butler, in room of Collier, who is dead, and of Gorham, now Governor of Placentia.
Col. Cor. N. S. vol. 6, p. 121

Enclosed. List of Council. 123
(Duplicates, Q. 35, Q. 36, B. T. N. S. vol. 26).

e 29, Campbell to Secretary of State (Hillsborough). Will sail for Halifax
ton. in a day or two. Col. Cor. N. S. vol. 6, p. 125

1772.

June 30, Halifax. Proceedings of Executive Council from 4th January to 30th June. B. T. N. S. vol. 55, No. 11

July 9, Halifax. Francklin to Secretary of State (Hillsborough). The General Assembly met on 9th June and ended the session yesterday (8th July). Sends list of Acts passed. Col. Cor. N. S. vol. 6, p. 129

Enclosed. List of Acts passed. 130

Campbell wrote the same day and also sent list of Acts. Q. 37, Q. 38, B. T. N. S. vol. 26

(In a previous letter Francklin says the Assembly met on the 10th June, the 9th is the correct date).

July 14, Halifax. Campbell to Secretary of State (Hillsborough). Arrived on 10th. The obstacle to settlement, owing to the want of a resident surveyor of woods in the Province. Col. Cor. N. S. vol. 6, p. 126

(In duplicate, Q. 39, B. T. N. S. vol. 26, Campbell says he arrived on the 9th, which is, no doubt, the correct date, as he wrote on that day).

July 29, Whitehall. Lords of Trade to the King. Recommend that Arthur Goold and John Butler be appointed to the Council in room of John Collier and Benjamin Gerrish, deceased. B. T. N. S. vol. 38, p. 311

July 29. Memorial (undated) of the case of Charles N. Godfrey Jadis, late Capt.-Lieutenant in the 52nd. Preceding the first page is a certificate from various officers in favour of Jadis. Q. 31, B. T. N. S. vol. 26

(The last part of the memorial has been lost, by the part folded down being worn through).

July 31, St. James's. Order in Council appointing Arthur Goold and John Butler to be members of Council in room of Collier and Gerrish deceased. Q. 43

August 7, Whitehall. Secretary of State (Hillsborough) to Francklin. His attention respecting the lighthouse approved of. Goold and Butler appointed to the Council. Col. Cor. N. S. vol. 6, p. 124

(Copy in Col. Off. N. S. vol. 1, p. 116).

August 28, Lambeth Marsh. Jadis to Dartmouth. Calls attention to his losses and distress; his memorial and case have been laid before the Lords of Trade. Unless speedy relief be granted, he will be cast into prison. Enclosed is his case, giving an account of his birth, services and the destruction by the Indians of his house and effects, with a certificate of his conduct as an officer and gentleman by Col. Clavering and Sir Guy Carleton. John Burgoyne and Philip Skene, each signs as "late major to the 52nd regiment," that being the regiment in which Jadis served. Dartmouth papers

September 2, Halifax. Campbell to Secretary of State (Hillsborough). Sends copies of the laws passed last session. The Act for repealing two Acts for raising money for the payment of representatives contains a suspensory clause. Has received dispatch disallowing two Acts. Col. Cor. N. S. vol. 6, p. 140

Enclosed. List of Acts, with remarks. 142

(Duplicates of letter and enclosure, Q. 46, B. T. N. S. vol. 26).

September 4, Shirburn Castle. Macclesfield to Dartmouth. Recommends Tonge for the appointment of naval officer at Halifax, vacant, or likely to be so. Dartmouth papers.

September 8. Estimate of the number of families in the town of Louisbourg. At the end of the list is the quantity of fish shipped from Cape Breton, distinguishing the places where shipped. The name of the head of each family is given in the list. Dartmouth papers.

September 9, Sandwell. Dartmouth to Campbell. Acknowledges receipt of letter; on his return to town, he shall inquire into the situation of the Province of Nova Scotia. Dartmouth papers.

September 11. Mrs. Jadis, apparently to Lady Dartmouth. Sends copy of the case of her husband, now before the Lords of Trade. Acknowledges the great kindness they have received from Lady Mary Hill. Dartmouth papers

1772.
tember 12, Proclamation by Governor Campbell to prohibit the illicit taking of
n an coal from Cape Breton. Dartmouth papers.
a (*sic*).

tember 22, Campbell to Secretary of State (Hillsborough). Has received dis-
lifax. patch relative to his application for leave of absence. His health is so far restored that he will be able to continue in his office.
Col. Cor. N. S. vol. 6, p. 134
(Duplicate Q. 47, B. T. N. S. vol. 26).

ober 1, Campbell to Secretary of State (Hillsborough). Complaints made of
lifax. illicit trade, particularly from Canso to the Bay of Chaleurs; it might be prevented by properly stationed armed schooners, which would at the same time protect the fishery. Col. Cor. N. S. vol. 6, p. 136
(Duplicate Q. 48, B. T. N. S. vol. 26).

ober 26, Campbell to Secretary of State (Dartmouth). Congratulates His
lifax. Lordship on being appointed Secretary to the American department; will give his best services. Has appointed Arthur Goold to be naval officer, in room of the late Benjamin Green. Col. Cor. N. S. vol. 6, p. 144
(Duplicate Q. 49, B. T. N. S. vol. 26).

ober 27, Campbell to Secretary of State. There is no objection to insert a
lifax. clause in commission to Governors in the Plantations "giving them as "chancellors the necessary powers to issue commissions for the care "and custody of Idiots and Lunaticks agreeable to the usage and custom "in England." The want of such power has already occasioned considerable difficulties. Q. 44, B. T. N. S. vol. 26

ober 27, Memorial by the principal merchants, inhabitants and traders of
nso. Canso, stating the great services to the trade rendered by Jonathan Binney, praying that a salary be granted to him and that he be continued as first magistrate and deputy collector of customs.
Dartmouth papers.

ober 29, Mrs. Goold apparently to Lady Dartmouth. On behalf of her husband,
lifax. that he may be confirmed as naval officer. Dartmouth papers.

ember 4, Secretary of State (Dartmouth) to Campbell. No governor in
itehall. America can have leave to return to Europe, unless he signifies his intention to resign. In consequence of the increase of his disorder, the King has given him leave to return, but it is only to be used in case his health compels it and that he is prepared to resign on arrival. Early notice to be given when he embarks, so that a suitable successor may be appointed. Col. Cor. N. S. vol. 6, p. 132
(Copy in Col. Off. N. S. vol. 1, p. 118).

ember 10, Joseph Gorham to Secretary of State (Dartmouth). Applies for a
centia. situation to enable him to settle the claims against him on account of the losses he sustained in respect to his lands in Nova Scotia. A copy of a recommendation from Townshend to Granby, dated 19th June, 1769, is enclosed. Dartmouth papers.

ember 26, Proceedings of Executive Council from 2nd July to 26th November.
lifax. B. T. N. S. vol. 55, No. 12

ember 27, Campbell to Secretary of State (Dartmouth). Sends estimate for
lifax. 1773. Earnestly requests assistance for building roads; failure of the plans adopted for raising money. Sends memorial from people concerned in the cod fishery at Canso, and return of this year's catch; summary of the memorial. The services of Jonathan Binney there; recommends that he be allowed an annual salary of £100.
Col. Cor. N. S. vol. 7, p. 1
Enclosed. Estimate for 1773. 5
Memorial of the merchants and traders of Canso. 8
(See also Dartmouth papers, 27th October).
List of the vessels cleared and the exports from Canso, from 1st April to 2nd November, 1772. 11

1772.
December 9, Whitehall. Secretary of State (Dartmouth) to Campbell. Is glad to hear of the benefit to his health gained by his Southern tour; hopes he will not require to use the leave of absence. Is sorry that the establishment of a valuable fishery upon the North-Eastern coast of Nova Scotia has introduced illicit trade, of which full information is asked for.
Col. Cor. N. S. vol. 6, p. 138
(Copy in Col. Off. N. S. vol. 1, p. 119).

December 12, Clapham. John Thornton to Secretary of State (Dartmouth). Agrees in the propriety of refusing the application of John Fenton's brother.
Dartmouth papers.

December 13, Shirburn Castle. Macclesfield to the same. Acknowledges receipt of letter stating that Tonge is appointed naval officer at Halifax. Dartmouth papers.

December 15, Halifax. Campbell to the same. Transmits and recommends memorial from the widow of Benjamin Green. Col. Cor. N. S. vol. 7, p. 12
Enclosed. Memorial. 13

December 16, Windsor, N.S. Francklin to Secretary of State (Dartmouth). Congratulates His Lordship on his appointment to the American department. 14

1773.
January 5, London. Opinion of Counsel (Jackson) that the Acts of Nova Scotia submitted to him are proper in point of law. Q. 45, B. T. N. S. vol. 26

January 21, Whitehall. Estimate for 1773. B. T. N. S. vol. 38, p. 312
(Duplicate in B. T. N. S. vol. 27).

February 3, Whitehall. Secretary of State (Dartmouth) to Campbell. The estimate was presented to Parliament before his proposals arrived, so that the grant for roads, salary to a magistrate and allowance to Mrs. Green cannot now be considered. Has laid the proposals before the Lords of Trade, but is afraid they will meet with difficulty. Col. Cor. N. S. vol. 7, p. 15
Enclosed. Estimate; duplicate of the 21st January.
(Copy of letter in Col. Off. N. S. vol. 1, p. 120).

February 13, Halifax. Campbell to Secretary of State (Dartmouth). Received letter of 4th November, granting him leave to return to England, for which he returns thanks. His ill state of health is somewhat removed by the tour he made to the South; remonstrates against the conditions of the leave and asks that he may have six months' leave, if not inconsistent with any general resolution. His affection for the people of the infant Colony will lead him to continue his utmost efforts for their benefit.
Col. Cor. N. S. vol. 7, p. 23

February 20, Halifax. Same to the same. Death of Zouberbuhler, the first magistrate of Lunenburg, on the 31st of January. He had £50 a year and his death has given occasion to the memorial enclosed; recommends the memorialist and that Hinshelwood should succeed Zouberbuhler in the Council. 27

March 3, Whitehall. Knox to the Governor of Nova Scotia. Sends estimate for 1773.
Col. Off. N. S. vol. 1, p. 121
Enclosed. Estimate. Copy of that of 21st January.

March 15, Whitehall. Lords of Trade to the King. Recommend that assent be given to the Act to repeal the Act to enable the counties to raise money for the payment of their representatives, it being for local purposes.
B. T. N. S. vol. 38, p. 315

March 20. London. Memorial of merchants interested in the fishery of Nova Scotia, to have a ship of war stationed for its protection.
Col. Cor. N. S. vol. 7, p. 19

March 31, London. Jadis to Secretary of State (Dartmouth). Calls attention to the prevalence of smuggling, of which Major Ville (Maugerville) is the centre, connived at by the magistrate and collector, both offices held by one person; the great loss to the revenue, the destruction of timber, &c. Endorsed: "Thoughts on the best means to prevent smuggling in the "River St. John in the Bay of Fundy."

1773.

Enclosed. Israel Perley to Jadis, dated Maugerville, 18th October, 1771, accusing the magistrate (Peabody) of abusing his office as judge and referring to the information Jadis has of Peabody's conduct respecting the duty on liquors, &c. Letter and enclosure in Dartmouth papers.

April 7, St. James's. Order in Council, prohibiting the granting of land.
U. 49, B. T. Plantations General, vol. 29

April 10, Whitehall. Secretary of State (Dartmouth) to Campbell. Sends Order in Council of 7th April, approving of an Act passed in July, 1772.
Col. Cor. N. S. vol. 7, p. 20

(Copy in Col. Off. N. S. vol. 1, p. 124. The Order in Council follows the copy on the same page).

April 26, Halifax. Campbell to Secretary of State (Dartmouth). Sends report on the contraband trade which is carried on from Miquelon and St. Peter to the coast from Canso to the Bay of Chaleurs; the people on that coast are Indians, French Acadians, Americans and Europeans, who are supplied with brandy, wine and other French commodities, for which furs and peltry are returned. Had written to Lord Sandwich as well as to Hillsborough; Admiral Montagu has been instructed to station an armed vessel to prevent this trade. Death, whilst preaching, of Bryzelius, the missionary to Lunenburg, leaving a widow and family in distressed circumstances; asks that they may receive the remainder of his annual stipend, or until a successor be appointed. The other missionary, de la Roche, can preach very intelligently in English and it would be of great service to the settlement were the distinction destroyed that is preserved by a difference of language. Col. Cor. N. S. vol. 7, p. 30

May 7, Halifax. Same to the same. Sends copies of Acts passed last session and minutes of Council and Assembly. 33

(Duplicate Q. 51, B. T. N. S. vol. 26).

May 29, Halifax. Campbell to Secretary of State (Dartmouth). Has received estimate for the year. Col. Cor. N. S. vol. 7, p. 34

(Duplicate Q. 52, B. T. N. S. vol. 26).

June 10, Whitehall. Lords of Trade to the King. Sends draught of commission to Francis Legge, appointed Governor of Nova Scotia, the only alteration being that empowering him to issue a commission for the care and custody of idiots and lunatics. B. T. N. S. vol. 38, p. 317

Commission. 319

June 16, Miramichi. Contract between Hugh Baillie and William Davidson for the sale of lands by Davidson to Baillie (Miramichi was part of Nova Scotia till 1784, when New Brunswick was formed into a separate Province). The papers are endorsed: "Original papers belonging to Hugh Baillie Esq., "concerning certain lands possessed by W. Davidson at Miramichi in "the Bay of Chaleurs, 13th May, 1789. N.B. Mr. Baillie's memorial "respecting these lands was sent to the Privy Council, the 16th October, "1786."

June 16, Whitehall. Secretary of State (Dartmouth) to Campbell. Congratulates him on being appointed Governor of South Carolina. In accordance with the request of the Duke of Argyll, he (Campbell) has been allowed to visit Europe before repairing to his government, but he must use dispatch, as his presence in South Carolina is of importance in the present state of affairs. Col. Cor. N. S. vol. 7, p. 21

(Copy in Col. Off. N. S. vol. 1, p. 127).

July 1, Whitehall. Lords of Trade to the King. Send draught of general instructions and instructions on trade for Legge, with note of the alterations.
B. T. N. S. vol. 38, p. 354

(A prohibition respecting the granting of lands is conformable to an Order in Council of 7th April, which is in B. T. Plantations General, vol. 29, marked U. 49).

General instructions. 359

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(The instructions as to trade are the same as those given to Lord William Campbell on the 2nd January, 1767).

July 2, St. James's. Commission to Francis Legge to be Governor of Nova Scotia. Col. Off. N. S. vol. 1, p. 128

July 6, Halifax. Campbell to Secretary of State (Dartmouth). Complains of delays in the delivery of dispatches by mail; suspects the delay is caused at Boston. Col. Cor. N. S. vol. 7, p. 35

(Duplicate Q. 53, B. T. N. S. vol. 26).

July 10, Halifax. Campbell to Secretary of State (Dartmouth). Has delivered commission to Tonge, sworn him in and given him instructions. Col. Cor. N. S. vol. 7, p. 36

Enclosed. Instructions to Tonge, naval officer. 37

(Duplicates Q. 54, Q. 55, B. T. N. S. vol. 26).

August 12, Halifax. Campbell to Secretary of State (Dartmouth). Has received approval of the Act for repealing the Act for the payment of representatives and Order in Council not to grant lands till further instructions. Had reported the swearing in as naval officer of Tonge, who has since been interfering with the other naval officers in the Province, threatening to supersede them if they do not obey his orders; asks for instructions. Col. Cor. N. S. vol. 7, p. 40

(Duplicate Q. 56, B. T. N. S. vol. 26).

The six following documents are among the Dartmouth papers.

August 18, St. James's. Rochford to Secretary of State (Dartmouth). Has laid Legge's request before the King, as being entirely contrary to the established rule in the army.

There is a rough draught apparently of this memorial, unsigned and undated.

Another document, unsigned and undated, respecting the conflicting claim for pay in the 55th regiment between Legge and Duncan. The writer was apparently acting on behalf of Duncan.

August 24, Halifax. Campbell to Dartmouth (private). Previous to receiving the order to grant no more lands, he had allotted a small tract of about 400 acres to his little boy, as a reminder henceforth that he had been born in the Province. Hopes that this will not be considered an infringement on His Majesty's mandate.

September 8, Parliament Street. Meyrick to Secretary of State (Dartmouth). Legge's commission as Lieut.-Colonel of the 55th was left in Dublin, sent to Rochford and cancelled. The only way to preserve Legge's rank is by a brevet commission as Lieut.-Colonel in the army.

September 13, Parliament Street. Same to the same. Suggests, for consideration, whether the brevet to Legge as Lieut.-Colonel in the army would interfere with the King's intention not to allow a Governor of a Province to hold a commission in a regiment. Tryon, Shirley, &c., hold their rank in the army.

October 22, Halifax. Legge to Secretary of State (Dartmouth). Huston, recommended by the Council, has gone to Boston; he lived, when in the Province, at Cumberland, 100 miles from Halifax, is upwards of 70, of honest character. Col. Cor. N. S. vol. 7, p. 98

October 22, Halifax. Morris to Campbell. In accordance with orders, reports on the lands to be reserved for timber. Cape Breton contains principally forest lands. Black birch, used for ship building and wharves, is very durable and not attacked by worms; black spruce is best for shipping and for masts of small vessels, but would serve for topmasts for the largest vessels. There is some pine, but the heavy gales on the coast cause shakes in the butts, from 10 to 20 feet up; above that they have often 40 to 60 feet fit for plank. Recommends that the whole island be reserved. The other is a tract of land on the St. John River above the settlements, to extend for 150 miles, with a breadth of 25 miles on each

1773.

side of the river. There are quantities of pine, oak, black birch, black spruce and other useful timber. Dartmouth papers.

October 23, Halifax. Legge to Secretary of State (Dartmouth). Had on the 15th reported his arrival and his taking on himself the administration. Meeting of Assembly, the principal purpose being to raise supplies for the support of the civil establishment provided for in the Province and for payment of the interest on the debt. Progress of the Province retarded by the want of industry on the part of the New England people in the back settlements and by the want of roads; these people are decreasing by death and the sale of the lands to the industrious; efforts are made to open roads, but much remains to be done. Refers to Campbell's letters for the cases of Binney, a magistrate at Canso, and of Tonge, the naval officer. Hinshelwood, recommended for the Council, is dead; Creighton, also recommended, is qualified for the office. The death of one of the missionaries at Lunenburg has left a vacancy, which need not be supplied; it is proposed that the salary be used for an itinerant missionary to the scattered settlements, now open to imposition from any ignorant wanderer, hoping to gain a livelihood. Recommends that in the meantime the widow of Bryzelius, who died in the pulpit, may receive the stipend until a successor be provided. Sends minutes of Council and estimate for the next year. Col. Cor. N. S. vol. 7, p. 43

Enclosed. Estimate. 50

Tonge's memorial. 52

Minutes of the Executive Council. 56

(Duplicates Q. 60, Q. 61 and Q. 62, B. T. N. S. vol. 26, but the minutes are not with the other duplicates).

November 12, Halifax. Legge to Secretary of State (Dartmouth). The Assembly met on the 12th October and closed this day (12th November). Sends list of Acts passed. Col. Cor. N. S. vol. 7, p. 102

Enclosed. List of Acts. 103

(Duplicates Q. 63 and Q. 64, B. T. N. S. vol. 26).

November 18, Halifax. Legge to Secretary of State (Dartmouth). Calls attention to the occupants of lands granted to them by the Governor in Council for which they have not yet received deeds; the whole of the inhabitants at Lunenburg are in this situation; asks for instructions. Col. Cor. N. S. vol. 7, p. 106

November 25, Whitehall. Lords of Trade to the King. Recommend that James Burrow be appointed to the Council, in room of Green, deceased. B. T. N. S. vol. 38, p. 438

December 1, Whitehall. Secretary of State (Dartmouth) to Legge. Approves of the meeting of Assembly and of the subjects to which the minds of the members were directed. If the reports of the fertility of the Province be true, industry would make it a flourishing Colony and he hopes it will soon be in a position to make the necessary roads. Doubts, in respect to Binney, if the civil magistrate should be supported by the public. Will do nothing about Tonge's memorial until he has fuller information. Will report to the Lords of Trade his (Legge's) opinion of Creighton for the Council. In the meantime Burrow, comptroller of Customs, may fill one of the vacant seats. Has no doubt the Society for the Propagation of the Gospel will select a successor to Bryzelius; in the meantime the widow and family may receive the stipend. Col. Cor. N. S. vol. 7, p. 99

(Copy in Col. Off. N. S. vol. 1, p. 154).

December 9, Southampton. Mauger to Pownall. The sad condition of Nova Scotia, described in a letter from Butler, lately received. With the exception of Hopson, all the Governors deserved a halter rather than a Government. Should Lord William Campbell, the late Governor, be so imprudent as to bring charges against Butler, trusts that, before any decision is come to, he

1773.

(Mauger) may be heard in defence. Recommends that James Monk, going to Nova Scotia, be appointed to the Council. Dartmouth papers.

December 15, Garlick Hill. Watson & Rashleigh to Lords of Trade. Enclose letter from their agent, complaining of the exaction of fees at Halifax by the naval officer contrary to custom.

Enclosed. Complaints by John Butler, agent for Watson & Rashleigh, dated Halifax, 10th July and 27th August, 1773, with copy of circular from Tonge to the naval officers at the outposts, containing instructions and a demand for half of the fees they collect.

Letter and enclosure marked Q. 57, B. T. N. S. vol. 2[illegible]

December 31, Halifax. Minutes of Council from 12th October to date in the margin.

B. T. N. S. vol. 55, No. 13

1774.

January 2, Shirburn Castle. Macclesfield to Secretary of State (Dartmouth). Transmits a memorial by Tonge to Legge. Tonge's appointment not having been agreeable to the late Governor (Campbell), his representations may not be absolutely free from partiality. Asks for a fair consideration of Tonge's case.

The memorial (undated) is enclosed. It complains that whilst preparing to regulate the office, to appoint deputies and to fix the fees, &c., he had been prevented by Campbell on the ground that he had mistaken the terms of his commission, which only appointed him to Halifax, with no power to appoint deputies or receive fees. Enters into details and submits the case for Legge's consideration. Dartmouth papers.

January 4, Halifax. Legge to Secretary of State (Dartmouth). Is afraid Meyrick has been importuning His Lordship too much in respect to the continuance of his rank. Shall write Meyrick not to trouble His Lordship more on that head; is perfectly satisfied and happy in his present situation. The mildness of the Winter. Only money to make roads is wanted to make this one of the most flourishing Provinces in North America. The sum of £500 a year, well laid out for four years, would be the making of the Province. Dartmouth papers.

January 8, Whitehall. Secretary of State (Dartmouth) to Legge. From there being no remark on what passed at the session, or on the laws, presumes nothing material occurred. Hopes soon to send the King's instructions as to the disposal of the lands. Col. Cor. N. S. vol. 8, p. 1

(Copy in Col. Off. N. S. vol. 1, p. 156).

February 5, Whitehall. Secretary of State (Dartmouth to the Governor of Nova Scotia (circular). Instructions sent expecting the disposal of the land. Dartmouth papers.

February 5, Whitehall. Same to Legge. Tonge's memorial has been considered. He is correct in his claim to be naval officer for the Province, entitled to appoint his deputies and to collect fees, but should he collect the fees his salary shall be withdrawn from the estimate. Should the landing of the East India Company's tea be obstructed in the other Colonies, it is to be sent to Halifax and although no apprehension is felt that the authority of the Kingdom will there also be insulted, yet he is notified that it is his duty to afford every protection to the agents in the landing and sale. Col. Cor. N. S. vol. 8, p. 7

(Copy in Col. Off. N. S. vol. 1, p. 156 and another among the Dartmouth papers).

February 10. Estimate for 1774. Enclosed in Legge's of the 16th February, which see.

February 15, Halifax. State of all the fees received by the judge and register of probates, since the fees were established by law, being two years and a half. Dartmouth papers.

February 16, Halifax. Legge to Secretary of State (Dartmouth). Sends copies of laws, journals and minutes, report of the state of the Province for 1773 and return of stores. Col. Cor. N. S. vol. 8, p. 10

Enclosed. Report of the State of Nova Scotia. 11

Return of ordnance and stores for land service. 20

Estimate for the civil establishment for 1774. 55

1774.

(The Acts are in printed collection among the Archives).

Minutes and journals. B. T. N. S. vols. 52 and 53

ruary 24, ifax. State and remains of ordnance at Halifax for sea service. Q. 65, B. T. N. S. vol. 26

The same for land service, same date, Q. 66.

ch 7. Memorial (undated) from Robert Grant, contractor for victualling the ships of war at Halifax, praying that the Governor be instructed not to assent to any revenue Act, by which rum supplied to the navy shall be subjected to any duty of excise. (Read on the date in margin). Q. 58

ch 9, don. Opinion of Counsel (Jackson). The Acts passed in Nova Scotia in 1773, submitted to him, are proper in point of law. Q. 59

ch 18, ifax. Legge to Secretary of State (Dartmouth). Asks for legal opinion in the case of disputes which have arisen respecting the powers of the Court of Chancery in the Province. Desires to know whether grants of land are to be made to reduced Provincial officers and soldiers as well as to those of the regular army. Col. Cor. N. S. vol. 8, p. 58

Enclosed. Document showing the proceedings in the Court of Chancery and in relation to the disputes that have arisen. 62

(The opinion of Jackson, K.C., (undated) was forwarded to Legge on 30th June, p. 79).

ch 23, ifax. Legge to Pownall. Asks that a speedy answer be sent respecting the disputes about the Court of Chancery. Proposals for remodelling the pilot service. 75

ch 27, ifax. The same to Secretary of State (Dartmouth). Dispatches received, with instructions that no Act shall be passed for naturalization of aliens, or divorce of persons joined in holy matrimony, or for establishing a title in any person to lands, tenements and real estates originally granted to or purchased by aliens antecedent to naturalization. 5

ch 31, itehall. Lords of Trade to Legge. Disapprove of the bill which renders rum for the navy liable to duty; it is necessary, however, to check fraud and they point out how that may be done. B. T. N. S. vol. 38, p. 441

il 6, don. Barré to Pownall (?). Requests, at the instance of Capt. Gualy, that a situation may be found for Woodmass and his spouse, whom he may remember as Nancy Gualy. Dartmouth papers.

il 29, ifax. Proceedings of Executive Council from January to date in the margin. B. T. N. S. vol. 55, No. 14

il 30, itehall. Pownall to Legge. Sends Estimate. Col. Off. vol. 1, p. 159

Estimate. 160

4, itehall. Secretary of State (Dartmouth) to Legge. Transmits copy of letter from the Society for the Propagation of the Gospel, stating the arrangements for their establishment in Nova Scotia. Mrs. Bryzelius is to be informed that the money for the support of the missionaries is to be distributed in conformity with the estimate. Col. Cor. N. S. vol. 8, p. 6

Enclosed. Society for the Propagation of the Gospel. They have relinquished the mission at Lunenburg and appointed Ellis an itinerant missionary. 7

(Copies in Col. Off. N. S. vol. 1, pp. 162-163).

10, ifax. Legge to Secretary of State (Dartmouth). Reports the arrival in September of 200 persons from the Highlands of Scotland and of 280 from Yorkshire, a few days before the date of the letter; three vessels more are expected with persons from Yorkshire, about 600 in all. Dispatches received. Account sent of the lands granted, with the quit rents to 1773, and minutes of Council to December last. Desires to know if in lands containing coal, the purchasers may work mines for their own advantage, no reservation being made in the titles. Col. Cor. N. S. vol. 8, p. 83

Enclosed. Account of quit rents due in 1773. 85

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(The names of the grantees, extent of lands, situation, &c., are given).

May 24, Halifax. Legge to Secretary of State (Dartmouth). Sends plan of Nova Scotia, with grants marked (plan cannot be found). Sends report of Morris respecting reserves of timber for the navy. Asks for instructions whether or not a distinction is to be made in regard to religious opinions in granting lands. Leave has been asked to settle on Sable Island and granted on condition that the grantees assist ship-wrecked people. 123

Enclosed. Report by Charles Morris on proper reserves of land for timber for the navy. 129

May 26, Halifax. Legge to Secretary of State (Dartmouth). Transmits memorial from Charles Morris and recommends him and his family for their faithful services. 134

Enclosed. Memorial by Morris. 139

Attached is a recommendation signed by members of the Executive Council. 138

Certificate by Bulkeley (Secretary) of the income of Morris from fees (about £15 a year, with no other allowance). 139

Resolution of Executive Council in favour of Morris. 140

May 27, Halifax. Legge to Secretary of State (Dartmouth). The necessity that a Governor should have a proper legal adviser; the interests and advanced age of Nesbitt disqualify him; the youth and inexperience of Monk who, it is understood, has the reversion of the office, are against his appointment. 171

May 29, Halifax. Same to Pownall (?). Has received dispatches with the King's message and resolutions of Parliament; hopes the example made of Boston will have a good effect. Desires to have full instructions as to the officers of the army and navy who are entitled to grants of land. 141

June 1, Whitehall. Secretary of State (Dartmouth) to Legge. Dispatch received. 9

(Copy in Col. Off. N. S. vol. 1, p. 164).

June 3, London. Campbell to Secretary of State (Dartmouth). Gibbons is the author of the political remarks left with His Lordship. He lives in Halifax, is a good man and worthy of patronage. Dartmouth papers

(The letter in Campbell's writing is dated 1773, but endorsed 1774, no doubt the correct date, as Campbell was in Halifax in June, 1773).

June 13, Halifax. Legge to Secretary of State (Dartmouth). Death of Gerrish, a member of Council; repeats his recommendation for the appointment of Creighton. Col. Cor. N. S. vol. 8, p. 141

June 20, Halifax. Instructions to John Cotnam, William Russell and William Phips, justices for Cape Breton for the preservation of the buildings, improvements of the grass lands, &c., about Louisbourg. 205

(Enclosed in Legge's letter of 20th August).

June 21, Halifax. Legge to Commodore Shuldham. Calls attention to the contraband trade between Cape Breton and the French islands of St. Pierre and Miquelon. Believes that these are supplied with coal from Cape Breton and with dried fish in exchange for brandy, wine and other merchandise, clandestinely landed in other parts of the Province. The pretence, when they are met at sea, is that they are going to or coming from Newfoundland. If they have coal on board, it must have been taken clandestinely; or if they have wine or brandy they must have got it at St. Peter. Asks for return, with details, of all vessels arriving at Newfoundland from Louisbourg, so that he may discover and find a method to prevent fraudulent dealing. Col. Cor. N. S. vol. 8, p. 203

(Enclosed in Legge's letter of 20th August).

July 27, Canso. Binney to Legge. Arrival of five top-sail vessels and two large schooners from Jersey to carry on cod fishing; 20 French Acadians with their families, have come out on some of them, who have come to take the oath of allegiance, as they wish to settle. Asks his (Legge's) pleasure whether they are to remain or to be removed to another part

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of the Province. About 40 shallops are employed in the cod fishery by French Acadians; an armed vessel should be stationed here (Canso) as some of the people are very disorderly and many vessels come from different parts of the Continent, which break bulk and take goods on board contrary to law, to his great loss, as he has no one to help him in collecting the duties. Intends going to Louisbourg and asks that the magistrates be instructed to help him. Col. Cor. N. S. vol. 8, p. 211

(Enclosed in Legge's letter of 20th August).

June 28, Halifax. Proceedings of quarter sessions, dismissing a special jury illegally summoned to try the case of an information laid by Samuel Store against Samuel Willoughby, John Chipman, Amos Bill and —— Chipman (the Christian name is illegible, the paper being worn into a hole). The nature of the complaint is not given. Dartmouth papers.

June 30, London. Opinion of Counsel (Jackson), on the questions arising out of proceedings in the Court of Chancery, Nova Scotia.

Col. Cor. N. S. vol. 8, p. 79

July 6, Whitehall. Secretary of State (Dartmouth) to Legge. No resolution can be come to respecting quit rents, until after consultation with the Treasury. Coal mines are to be reserved in future grants, but this cannot be applied to lands already granted. The increase of population by emigration from Great Britain may be of local advantage to Nova Scotia, but is of an alarming nature in respect to the security of the Kingdom; he is to have an exact account taken and transmitted of all arrivals from Great Britain and Ireland. The payment is not to be enforced at present of the quit rent by Jadis, who had his property on the St. John River destroyed by the Indians. 122

(Copy in Col. Off. N. S. vol. 1, p. 164).

July 6, Halifax. Legge to Secretary of State (Dartmouth). Shall lay before the General Assembly the dispatch respecting drawback on spirits supplied to the King's ships. Shall assent to no bill that subjects the contractor to duty, or to any incumbrance except such as may be necessary to prevent fraud. The obstacle to the trade with the West Indies is caused by the protective duty for the encouragement of distillers. Commercial laws are too frequently passed to promote private interests. Sends list of settlers; the surveyor is preparing plans for laying out farm lots.

Col. Cor. N. S. vol. 8, p. 175

Enclosed. List and number of persons who have arrived in Nova Scotia from England, since the beginning of May, 1774. 178

Account of the number of passengers arrived in Nova Scotia from Great Britain, from 5th April to 5th July. The total was 703. 181

July 6, Halifax. Legge to Secretary of State (Dartmouth). The want of vessels trading to Halifax is the cause of the paucity of his letters. Has heard that the seaport towns of New England are entering into combinations not to trade with Great Britain or the sugar Colonies. Will, therefore, encourage the trade with the West Indies; the greatest obstacle is the impost duty. 182

July 12, Halifax. Same to the same. Reports improvements which could be made to the management of the Orphans' Home; had these been adopted from the beginning, a saving of £700 could have been made in the overseer's charges and above £2,000 in maintenance, which would have been sufficient to erect commodious buildings, an ornament to the town. What remains is a decayed, inhospitable building, falling into pieces. 184

July 13, Halifax. Same to the same. Are Roman Catholics at liberty to purchase Crown lands? Are lands forfeited to be sold? Is he at liberty to grant temporary licenses for fishing lots? Sends table of fees and list of persons arriving this year. Has received copy of Act for discontinuing for a certain time the discharging of goods, &c., within the harbour of Boston. 145

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Enclosed. Table of fees. Col. Cor. N. S. vol. 8, p. 147

July 15, Halifax. Legge to Secretary of State (Dartmouth). Has received dispatch respecting Tonge's claims as naval officer. Transmits another memorial from him, the prayer of which he recommends and asks that on the first vacancy he be appointed to the Executive Council. 188

Enclosed. Tonge's memorial. 191

July 15, Halifax. John Fenton to Secretary of State (Dartmouth). His disappointment in the amount of income he expected to have when appointed Provost marshal; asks to be removed, as he cannot subsist on his place as it now stands. The importance of the office and the mischief that could be caused by a weak or wicked man. Dartmouth papers.

July 20, Halifax. Legge to Admiral Graves. Congratulates him on his arrival; believes the Americans have nothing more in view than publishing some impertinent resolves, which they will never be able to carry into execution. Reports the contraband trade at Canso and adjacent ports and asks for the naval assistance which has been usual. Col. Cor. N. S. vol. 8, p. 213

(Enclosed in Legge's letter of 20th August).

August 5, London. Opinion of Counsel (Jackson) on Acts passed in Nova Scotia in 1773. That relating to ferries should be amended; the others are proper in point of law. R. 1, B. T. N. S. vol. 27

August 20, Halifax. Legge to Secretary of State (Dartmouth). The difficulty, if not impossibility, of checking the contraband trade with St. Peter and Miquelon; the convenient situation for this trade the Acadians have settled on; their attachment to France and the little confidence that could be placed in them should war break out. The effect of recent instructions has been to lead the Acadians into a connection with the French at St. Peter and Miquelon. Col. Cor. N. S. vol. 8, p. 201

Enclosed. Letter to Shuldham, dated 21st June, which see.

Instructions to the justices of Cape Breton, dated 20th June, which see.

Binney to Legge, Canso, 27th June, which see.

Legge to Graves, 20th July, which see.

August 25, Halifax. Legge to Secretary of State (Dartmouth). Dispatches, with enclosures, received. Bailly, the missionary priest to the Indians, having gone to Quebec in May, 1772, and not returned, he shall stop payment of his allowance from the beginning of this year, until further directions are received. Sends proceedings of Council from April to July. Col. Cor. N. S. vol. 8, p. 215

Enclosed. Proceedings of Executive Council from the last of April to the last of July. 218

August 31, Halifax. Gibbons to Lord W. Campbell. Sends an essay on the administration of justice in Nova Scotia, of which many complaints have been made. Asks that the case be presented to the minister in order to obtain a remedy.

The document attached is entitled: "A review of the past and present "state of the Administration of Justice in Nova Scotia, shewing the "deviations therein from the mode of Jurisprudence in England, "the present and future bad consequences thereof to His Majesty's "Government and subjects in this Province, with a Plan humbly pro- "posed for the Reformation of the same."

The plan proposed is to revoke the commissions of the Supreme and inferior courts of Common Pleas and to erect two Superior Courts of general Provincial jurisdiction, one to be similar to the Court of King's Bench in England, the other with the powers of the two courts of Common Pleas and Exchequer at Westminster. Dartmouth papers.

September 1. List (undated), of the fees taken in the public offices of Nova Scotia. Read on date in the margin. Q. 68, B. T. N. S. vol. 26

(The Government offices and fees in each are given).

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ptember 7, Secretary of State (Dartmouth) to Legge. Dispatches received from
hitehall. him and plan from Montagu. The importance of reserving lands for timber and masts for the navy. All the unsettled lands on St. John River above the settlements and the whole island of Cape Breton should be reserved. To press the Council and Assembly to pass a law to prevent abuses in this matter. Knows of no law to prevent Papists from accepting a grant of lands, but no grants are to be made to persons professing the religion of the Church of Rome, until the King's pleasure be known and a report of each case sent. Forfeited lands are to be sold; he is not restricted from granting temporary fishing licenses. Permission to Flanagan and associates to settle on Sable Island approved of, as their residence there may save the lives of many subjects shipwrecked; if they succeed, they may be induced to erect and maintain a lighthouse. The merits of Morris fully appreciated, but his request cannot be granted. Nesbitt should not be set aside from the Attorney-Generalship on the terms stated, as it would be a bad precedent to apply any part of the grant for Nova Scotia to the payment of a pension. Monk has no reversion of the office; he has had encouragement to expect it, but will be disappointed should he have entered into a collusive bargain with Nesbitt. Agrees with him (Legge) as to the bad policy of the impost duty on rum from the West Indies as detrimental to trade; hopes other means have been adopted for raising a revenue. His efforts at economy and particularly with respect to the Orphans' Home are commended; regrets that the reform should be disadvantageous to Breynton, whose services have been so valuable. Will attend to his recommendation to appoint Tonge to the Council, but presumes he is not to take the place of Creighton. The Treasury does not approve of the proposal respecting quit rents. Col. Cor. N. S. vol. 8, p. 192

(Copy in Col. Off. N. S. vol. 1, p. 166).

ptember 13, Legge to Secretary of State (Dartmouth). The proposed method of
alifax. applying the quit rents to making roads will be most advantageous for the Province; if left to his determination, he could ascertain which of the grantees were and which were not able to pay. The surveyor has laid out 200 lots and is proceeding with all expedition; the survey has been a great expense to the surveyor and will be more so for lands to which there are no roads; shall be careful to reserve coal lands in the grants. Shall send lists of persons arriving from England and Scotland, but they are few, compared with those to other Colonies, as they do not seem well pleased with the country. Col. Cor. vol. 9, p. 1

ptember 20, Same to the same. Two magistrates dismissed for attempting to
alifax. convene illegal meetings in connection with the importation of tea; sends the proceedings of Council in their cases. Has already called attention to the necessity for a suitable Attorney-General and again urges the appointment. The commission to Monk, as Solicitor-General, is prepared but he (Legge) cannot think he is qualified to be Attorney-General. Sends copy of proclamation he has issued to prevent illegal meetings. 4

Enclosed. Extract from the minutes of Council held on the 16th and 19th September. 8

Proclamation. 17

ptember 28, Legge to Secretary of State (Dartmouth). Asks for instructions as
alifax. to mandamus for lands in favour of Zoubenbuhler and Peach, presented by the executors, he having doubts on the effect of the same. 19

ctober 5, Secretary of State (Dartmouth) to Legge. The King approves of the
hitehall. steps he has taken to stop the contraband trade and the shipment of coal, to which the attention of the officers at Canso and Louisbourg should be called. The dangerous communication between the Eastern settlements of Nova Scotia and Miquelon and St. Peter can only be

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stopped by the vigilance of cruisers. To report on the settlements of Acadians on Isle Madame; the information is necessary to decide if these settlements should be allowed and, if so, under what conditions. The stoppage of Bailly's allowance approved of; should the report of his death prove true, the King intends to discontinue the establishment, unless the Indians insist on the fulfilment of the stipulation, which was the only ground for so extraordinary an indulgence.

Col. Cor. N. S. vol. 8, p. 239

(Copy in Col. Off. N. S. vol. 1, p. 173).

October 14, Halifax. Bill for granting to His Majesty a tax upon certain lands granted within the Province of Nova Scotia. Sent by the Assembly to the Council on the date in the margin. R. 14, B. T. N. S. vol. 27

(The amount raised was to be applied to the payment of members. Endorsed: "In Council, 17th October, 1774. Not agreed to. Richard "Bulkeley.")

October 18, Halifax. Legge to Secretary of State (Dartmouth). Sends duplicates. The inhabitants have behaved with decorum; the East India Company's tea has been disposed of and dispersed through the country. Sends copies of his speech, addresses and answers. Had been obliged to advance money for roads, to be repaid; urges that the grant of £500 spoken of may be made for roads. Sends table of fees; their insignificant amount, as compared with that he had himself paid in New York for 5,000 acres. (A statement of these last was sent on 29th November).

Col. Cor. N. S. vol. 9, p. 125

Enclosed. Governor's speech, addresses and answers. 127

Estimate for 1775. 136

Table of fees. 138

October 22, Halifax. Addresses (undated) from the Assembly, complaining of the obstacles interposed by the Council towards restoring the public credit and asking to be heard in respect to the land tax. R. 15, B. T. N. S. vol. 27

Answer (also undated) by the Council. R. 16

(The date of the address is endorsed on the answer).

October 25, Whitehall. Lords of Trade to the King. Recommend that John Creighton be appointed to the Council, in room of Joseph Guerish, deceased.

B. T. N. S. vol. 38, p. 445

October 27, Halifax. Proceedings of Council from 16th August to date in the margin.

B. T. N. S. vol. 55, No. 15

October 28, Halifax. Address of the Council to Legge, in answer to a charge by the Assembly that the Council, in its legislative capacity, had acted in a manner detrimental and obstructive to the welfare of the Province. The charge is an attempt to make the Council responsible [to the Assembly] for its reasoning and opinions and is, therefore, unconstitutional, so that their answer, out of respect to the Governor, must not be taken as a precedent. It explains the course taken by the Council in reference to the taxes embodied in the bill sent up by the Assembly, to the principles of which the Council could not assent. Dartmouth papers.

November 7, Halifax. Title of a bill for the valuation of all real and personal estates within the Province, returned to the Council by the Assembly, which would not consider it "while there are so few members in town."

R. 13, B. T. N. S. vol. 27

November 11, Halifax. Report of the committee on the Treasurer's accounts, submitted to the Council. Dartmouth papers.

November 12, Halifax. Legge to Secretary of State (Dartmouth). The steps taken to preserve the lands for timber and masts for the navy; Acts passed on the subject, for which he asks approval. Sends returns of the state of population in Cape Breton and Isle Madame. The disorderly conduct of the people who come in summer for the fisheries. Col. Cor. N. S. vol. 9, p. 29

Enclosed. Returns. 33

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Act to prevent waste and destruction of pine or other timber trees on certain reserved and ungranted lands in the Province.

R. 18, B. T. N. S. vol. 27

November 15, Halifax. Legge to Secretary of State (Dartmouth). Transmits address from the Assembly on the subject of taxation, apparently designed as a complaint against the Council for not assenting to the Assembly's measures. Sends copy of bill for imposing a tax on all land granted, whether cleared or unimproved, of one farthing an acre. Has laid the address before the Council for an opinion, which he encloses. People from the neighbouring Colonies have obtained the lands of the neutral French who were removed; the lands assigned to each family would maintain 30 to 50 head of cattle; they have had these lands for upwards of 12 years and have never yet contributed one shilling towards the expense of Government. The other lands to be taxed are wild and unimproved, granted to disbanded officers and soldiers and from the quantity of such lands, a greater tax would be imposed on them than on all the settled inhabitants. The disadvantageous provisions in the Act, which would tend to reduce the value of the land. The question of the taxation has been in dispute between the Council and Assembly for some years; the Lords of Trade asked to consider and settle the matter.

Col. Cor. N. S. vol. 9, p. 37

Enclosed. Address of the Assembly. 44

Address of the Council. 49

November 16, Halifax. Legge to Secretary of State (Dartmouth). Had reported the differences between the Council and Assembly. They have agreed in passing a law extending the benefits of the Supreme Court to populous counties, owing to the expense to suitors of having only one court sitting in Halifax and of the dissatisfaction with the inferior courts; the advantage of Supreme Courts in securing respect to the laws. 55

Enclosed. Address of the Assembly on the extension of the Supreme Court to the inland counties. 59

Act (reserved) respecting the Supreme Court. 61

November 16, Halifax. Monk to Secretary of State (Dartmouth). Comments on the efforts of the Governor, on the hindrances, the state of affairs in the Province, the extension of the Supreme Court, &c., and encloses observations. 96

Enclosed. Considerations on a bill for directing the Supreme Court of Nova Scotia to sit in the counties of Halifax, King, Annapolis and Cumberland. 103

November 17, Halifax. Legge to Secretary of State (Dartmouth). Calls attention to the inconvenience caused by the number required for a quorum of Assembly. Has referred the question to a committee, whose report he encloses. Proposes the reduction of the quorum to nine, and the addition of two members to the county and two to the town of Halifax. 69

Enclosed. Report on the constitution of the Assembly. 74

November 18, Halifax. Legge to Secretary of State (Dartmouth). Had written on separate subjects to avoid perplexity. Respecting lands to Roman Catholics, shall report each case. The sale of the forfeited lands will give more to be disposed of. Liberty to grant fishing licenses will extend the trade. How grants might be made on Sable Island. Calls attention to the need for a suitable Attorney-General. The modifications in the duties on rum and molasses to encourage the West Indian trade. Is sensible of the approbation given to his services. The improved state of the Orphans' Home. Withdraws his recommendation of Tonge for the Council. Will not, owing to the expressed opinion of the Lords of Trade, press for the application of the quit rents towards making roads; the small amount collected. 77

November 29, Halifax. Same to the same. Sends return of surveys, which he has laid before the Council to fix the time of the sale and the price of the lands. The

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advertisements are prepared and shall be distributed when printed. Sends report of the expense, which to the surveyor exceeds the amount voted by Parliament. Is sorry that the proposals in favour of the surveyor's son were not approved of; the deserving character of the family. Sends copy of his bill of fees, to show how inadequate they are. Col. Cor. N. S. vol. 9, p. 84

Enclosed. Morris to Legge, 29th November, calling attention to the expense for surveys which has fallen on him. 82

Bill for a grant of 5,000 acres. 92

November 29, Halifax. Legge to Secretary of State (Dartmouth). On account of the unsatisfactory discharge of the duties of secretary, has appointed Alexander Morris first clerk in that office; dissatisfaction of Bulkeley, the secretary, who had appointed his son to that position and, he understands, is writing to his friends to get the appointment of Morris set aside; asks that it be confirmed, so as to secure regularity in the discharge of the duties. All the public law business has been put into the hands of Monk, Solicitor-General, who has acquitted himself satisfactorily.

Dartmouth papers.

(A duplicate is dated 2nd December.)

November 29, Halifax. Gibbons to Secretary of State (Dartmouth.) Asks for any situation that may be vacant in Nova Scotia; specifies the offices of Solicitor General, Provost Marshal and Receiver General of quit rents.

Dartmouth papers.

December 4, Halifax. Monk to the same. Owing to the unfitness of the present Attorney-General, all the public law business has been put into his (Monk's) hands. Applies for the office on Nesbitt's superannuation, to whom he will cheerfully render one half of the salary during his (Nesbitt's) life.

Dartmouth papers.

December 5, Halifax. Legge to the same. Has given a permit to Major Butler for 70 chaldrons of coal for the use of the troops. The prospect of the troops at Boston being at a loss for fuel; by storing coal at Halifax a supply could be sent at all times of the year. Col. Cor. N. S. vol. 9, p. 93

Enclosed. Memoral of Major Butler for 70 chaldrons of coal. 95

December 5. Memorial (undated) from Joseph Gorham, Governor of Placentia, for extension of time to settle the lands granted to him in Nova Scotia.

Q. 70, B. T. N. S. vol. 26

A memorial (also undated) endorsed: "State of Colonel Gorham's affairs." Dartmouth papers.

December 10, Whitehall. Secretary of State (Dartmouth,) to Legge. Transmits Gorham's memorial and the minute of the Lords of Trade. The terms on which Gorham obtained the grant to be extended for ten years.

Col. Cor. N. S. vol. 8, p. 242

(Copy in Col. Off. N. S. vol. 1, p. 176).

December 20, Halifax. Minutes of the Executive Council from 2nd November to date in margin. B. T. N. S. vol. 55, No. 16

No date. Estimate by the House of Assembly for the civil establishment of Nova Scotia. Dartmouth papers.

Another estimate. B. T. N. S. vol. 38, p. 448

Diagrams and descriptions of lots in Nova Scotia, namely, 112 lots laid out on the road leading from Fort Cumberland to Fort Belcher, containing in the whole 30,457 acres. R. 10, B. T. N. S. vol. 27

On the diagram is the following title: "A Plan of Lotts surveyed & " laid out between the Townships of Amhurst (*sic*) & Londonderry on " the road leading from Cumberland to Fort Belcher in the Township " of Onslow at the Head of Cobequid Bay. This Road will be the Grand " Road of Communication thro' the County of Cumberland & Halifax. " The land in general is of a good soil, abounding in various kinds of " Timber Trees, such as Beach, Maple, Black, White & Yellow Birch,

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"with a mixture of Spruce & Pine, & in General is a well watered "Country; has in some places good Interval & meadow lands."

93 lots laid out on Minas Basin and the road from Partridge Island to Cumberland, containing in the whole 26,551 acres. R. 11 B.T.N.S. vol. 27

The title on the diagram is: "A Plan of a tract of land situated on "the North side the Bason of Minas at the Road leading from Partridge "Island towards Fort Cumberland. This Tract is diversified with "Hills & Vales & is in general of a good soil, abounding in Timber "Trees natural to this Colony, such as Beach, Birch, Maple, Spruce & "Pine, is interspersed with Brooks and Rivulets on which there is "Interval & Meadow land well adapted to Grass & Graising & and the "Hilly parts will make good Arable land when cultivated as has often "been experienced in this Country."

66 lots laid out in the township of Wilmot, containing in the whole 26,145 acres. R. 12

The title is "This Township is situated on the Road leading from "Annapolis to King's County, this Road runs between two Ranges of "Hills, one on the North side, the other on the South side; that on the "North extends from Annapolis Gutt to the Bason of Minas & that on the "South from Annapolis to Windsor Road, these Hills are esteemed "excellent good land, Annapolis River runs thro' this Township, & on "the Brooks falling from the Hills into it, there are many fine Tracts of "Interval and Meadow lands, some dry Barren Plains (thro' which the "Road passes) falls within some of the Lotts now surveyed & laid out "for sale, but as you approach the Hills the land is good and well "watered."

Each diagram is followed by a description of each of the lots contained in it; the titles here quoted are all signed: "Charles Morris, Surveyor-General."

Address of the Assembly to Legge, that they will take steps to secure the public credit, but owing to the length of the session interfering with their private affairs and the severity of the season few of the members are present. Dartmouth papers.

——— to Dartmouth (?). Gives an account of the growth of the debt of Nova Scotia and how it was caused by a series of dealings in respect to bounties, &c., in which Francklin, the Lieut.-Governor, and his associates are charged with being concerned.

(Not signed but in the handwriting of Gibbons). Dartmouth papers.

"List of the Staff Officers in the old Department of N. Scotia and Garrison of Louisbourg." A rough jotting of names and apparently of the salary attached to each office. Dartmouth papers.

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January 6, Halifax. Legge to Secretary of State (Dartmouth). The neglect to send accounts of expenditure, and the steps he has taken to have a full examination. The concealments practised, the books and accounts missing containing "not only the annual receipts of taxes, but the funds "for borrowing all the money the Government is indebted, which "amounts to at least £50,000." The opposition to and calumnies against the Governors, notably in the case of Lord William Campbell. Col. Cor. N. S. vol. 9. p. 151

Enclosed. Documents relating to the audit of the Provincial accounts. 160

January 6 Halifax. Legge to Secretary of State (Dartmouth). Sends list of the Acts passed last session, with journals and minutes. 203

Enclosed. List of Acts. 204

See also undated list with observations. R. 9, B. T. N. S. vol. 27

January 7 Halifax. Legge to Secretary of State (Dartmouth). Has received and transmitted report on Cape Breton and Isle Madame. Shall take care respecting the British trade. The improvements in Cape Breton are

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scattered; none new have been made; the Acadians employ themselves in fishing during Summer and in hunting in Winter. Bailley (Bailli or Bailly, missionary priest) is still alive, but contradictory accounts are received of his return; no salary shall be paid till he appear in person. Remarks on the law respecting usury, to which he had assented. Disputes in Council respecting out-standing public debts.

Col. Cor. N. S. vol. 9, p. 202

January 7, Whitehall. Secretary of State (Dartmouth) to Legge. The Treasury disapproving of the proposals respecting quit rents, he is to take no further proceedings in that business. Is concerned at any appearance in Nova Scotia of the spirit of disobedience shown in other Colonies. The King approves of his conduct in showing the authors and abettors of any attempt at violence that their proceedings could not be passed over with impunity. The importance of a good Attorney-General; it was from belief in his fitness that hope was held out to Monk that he would be appointed to that office, but from his (Legge's) report does not think himself bound. Approves of his declining, in accordance with Orders in Council, to make grants to Zouberbubler in virtue of the order of 1765, or in that presented by Lady Lyttleton (Peach's). The reasons for not complying with the first are just; the other being only on account of delay, the case admits of indulgence. The memorial (enclosed) from John Binning shows that he has a real intention to cultivate and improve the lands; the King, therefore, commands that the term for performing the conditions be extended for ten years. 23

Enclosed. Memorial by Binning. 27

(Copy of letter in Col. Off. N. S. vol. 1, p. 177).

January 10, Halifax. Legge to Secretary of State (Dartmouth). Had reported that the public records of receipts and payments in the hands of the late treasurer had been suppressed for the purpose of concealing some undue measures practised by a party in Halifax. The first Assembly was composed of persons solely under the influence of Mauger, then resident but now Member for Poole. The means they adopted to secure power by squandering the money borrowed and the money in the Treasury, on useless works, bounties, &c., threatening the Governor and members of Council, many of the latter being officers of the Government, with a refusal to vote their salaries and the members who were traders by keeping them in debt, by granting to the distillers duties to exclude West Indian produce and, through the influence of Mauger, to fill the Council with their supporters so as to prevent any check on the Assembly. They have so monopolised the trade, that the Governor cannot introduce any measure for the public good that is opposed to their interest, without complaint.

A representation by members of Assembly (unsigned and undated) to Legge is enclosed in support of Legge's statements. A wrapper, loose, which appears to have been used to cover these papers, is endorsed: "Papers relative to the cabal formed against Governor Legge in N. "Scotia."

Letter and enclosure among the Dartmouth papers.

January 12, Clapham. John Thornton to Secretary of State (Dartmouth). Sends extract from letter from Fenton of Halifax and asks that he (Fenton) be appointed receiver of the quit rents.

The extract from letter dated Halifax, 18th November, 1774, is enclosed. It complains of his (Fenton's) hard situation as Provost marshal, the salary attached having been withdrawn and the income dependent on fees paid by the Assembly, many of the members of which are emigrants from New England, who have brought the same principles as exist there and are determined, being a majority of the Assembly, to give the Governor and all the officers under him all the uneasiness in

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their power. The addition to his income of the salary (£50 or £60) of receiver of quit rents would enable him to live. Dartmouth papers.

uary 17, don. Campbell to Secretary of State (Dartmouth). John Shoolbred has communicated the contents of a memorial to be presented to his Lordship for lands on the River Rustigush (Restigouche), asking for testimony as to the utility of his settlement in the Bay of Chaleurs and the expense and industry with which it has been carried on. "This I can "do in the fullest manner; the settlement was begun during my "Government in the Province and from every account I have had, it "promised to be very beneficial to the Trade and Manufactures of this "Kingdom and I think the Proprietors very deserving of every Encour-"agement."

The memorial (undated) is enclosed.

Undated paper entitled: "A short account of the Bay of Chaleurs," states its position, settlements, inhabitants and suggests that religious instruction should be given to the Indians, who desire it. The country, it says, cannot be settled with good men without religious ordinances. This paper is probably of the same date as the memorial.

Letter and enclosures among the Dartmouth papers.

uary 26, don. Opinion of Counsel (Jackson) that the Act for the extension of the powers of the Supreme Court is proper in point of law. R. 2, B.T.N.S. vol. 27

uary 27, tehall. Secretary of State (Dartmouth) to Legge. Dispatches received and laid before the King and Board of Trade; the Lords of Trade agree that the ability of the subject should be the measure of taxation and as the bill to tax all lands cleared and uncleared at a uniform rate is unjust they have recommended that he should not assent to it. The bill to extend the jurisdiction of the Supreme Court into populous counties requires consideration, but it does not seem liable to material objection. The alteration in the constitution of the Assembly should be made by a Provincial Act, on the requisition of the King, rather than by instruction. Assent may be given to any Act for adding two members to the county and two to the town of Halifax and reducing the quorum to nine. His measures for the sale of lands approved of; Morris, the Surveyor-General, should be paid at so much per 100 acres, the rate to be left to his (Legge's) discretion. The ready assent of the Assembly to the reservation of certain lands has been graciously received by the King. He (Dartmouth) will be happy if he can suggest any means to render more difficult the dangerous communication by the Acadians of Cape Breton with Miquelon and St. Peter, so as to avoid harsh measures towards these infatuated people. Care to be taken to prevent the removal of coal from Cape Breton, except for the troops at Halifax and Massachusetts Bay. He should write Gage on the subject, but in the meantime he (Dartmouth) will send an extract from Legge's letter respecting it. Col. Cor. N. S. vol. 9, p. 111

(Copy in Col. Off. N. S. vol. 1, p. 180, also in Dartmouth papers).

ruary 9, tehall. Lords of Trade to the King. Recommend that the Act for establishing the times of holding the Supreme Court be assented to.

B. T. N. S. vol. 38, p. 446

ruary 10, ndish re. Barrington to Secretary of State (Dartmouth). Returns Belcher's memorials and other papers respecting his claim to the moiety of the Governor's salary, of which six months had been paid by order of the War Office to Governor Ellis, appointed on the death of Lawrence. Green had been paid under exactly similar circumstances in obedience to the spirit rather than to the letter of instructions. Belcher's is a hard case and there being no military fund available recommends it to His Lordship's consideration.

The documents returned were Belcher's memorials, one to Dartmouth, the other to the King; both dated at Halifax, 5th December, 1774;

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copies of letters from the War Office, one from Barrington, 22nd May, 1773, the other from Townshend, 26th July, 1772. Dartmouth papers.

February 14, Halifax. Legge to Secretary of State (Dartmouth). Dispatches received, with order to prohibit the exportation of gunpowder, arms and ammunition from Great Britain, which he has published. The examination of accounts continued; the steps he is taking for the proper accounting for all public money. The Treasurer denies he has possession of the books used in the time of his predecessor; a reward offered for their discovery; believes they are concealed to prevent the misapplication of the funds from becoming known. Applications by officers for lands; asks for instructions. Col. Cor. N. S. vol. 9, p. 221

February 22, Whitehall. Secretary of State (Dartmouth) to Legge. Sends triplicates and Order in Council confirming the Act respecting the Supreme Court; also the King's speech and addresses on the American papers, copy of a bill for restraining the trade and prohibiting the fishery of the four New England Governments, &c. The firmness of the nation, coupled with indulgence respecting taxation should restore tranquillity. The measures respecting the trade and fisheries of the Colonies which have been most forward in acts of violence and rebellion, are particularly interesting to Nova Scotia and he hopes will give a spur to the industry and activity of the inhabitants. The resolution of the House is not sufficiently advanced to enable him to give instructions, so that this must be regarded as a private communication. 118

(Copy in Col. Off. N. S. vol. 1, p. 186).

Order in Council confirming the Act extending the jurisdiction of the Supreme Court. Col. Off. N. S. vol. 1, p. 190

February 24, Whitehall. Secretary of State (Dartmouth) to Legge. The Act respecting the preservation of timber contains a clause that acts as a hindrance to the fishermen at Louisbourg, which he desires should be remedied. Every reasonable indulgence should be granted to Lawrence Kavanagh in the fishery he carries on from Louisbourg. Col. Cor. N. S. vol. 9, p. 122

(Copy is in the Dartmouth papers; a copy, dated 25th, is in Col. Off. N. S. vol. 1, p. 192).

March 2, London. Opinion of Counsel (Jackson) on Acts passed in Nova Scotia in November, 1774. That relating to excise duties is unusual and its policy should be considered by the Lords of Trade. The others are proper in point of law. R. 3, B. T. N. S. vol. 27

March 6, Halifax. Legge to Secretary of State (Dartmouth). Had not written on the state of affairs in America, having no particular information. The resolutions of the Congress at Philadelphia were sent to the Speaker of the Assembly of Nova Scotia, for non-intercourse with the Provinces which did not adopt the measures of that Congress, but no notice was taken of them. Only one small vessel arrived this winter, but there has been no want of supplies. Considerations as to the trade with the West Indies, which also will be affected by the resolutions come to at Philadelphia. The system adopted by the French for this trade, under which Louisbourg was made the intermediate port and a great fishery established there. Suggests that Halifax might be made the intermediate port between Canada and the West Indies, which would build up the trade. The large fishery carried on by the New Englanders and the produce exported to Spain and Portugal. The difficulty of stopping contraband trade; its advantages to the other Colonies have prevented the resort to Halifax of industrious fishermen from New England. How the contraband trade might be stopped and Halifax benefited, as well as Canada, Nova Scotia, the West Indies and British trade.

Col. Cor. N. S. vol. 9, p. 225

March 8, Halifax. Same to the same. Dispatches received. Sends list of Council. The order for the release of Gorham from the payment of quit rents for a

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limited time has been entered in the Council books and copies sent to the officers connected with quit rents. A recent sickness has made the collector of quit rents very feeble in body and mind. The revenue is likely to amount to £5,000 annually; sufficient security ought, therefore, to be given. Col. Cor. N. S. vol. 9. p. 233

Enclosed. List of Council, dated 10th March. 235

ch 18, egmorton e.

Thomas Legge to Secretary of State (Dartmouth). Asks to have the box containing papers, &c., returned. Shall do nothing more about the memorial he had intended to present respecting sheriffs for Nova Scotia, more especially as the inhabitants had held a meeting to make resolutions in favour of their rebellious neighbours. Wishes he could forget he ever set foot on that Continent which has been so injurious to his circumstances. Makes no claim, but would be thankful to accept an office. Dartmouth papers.

ch 28, fax.

Proceedings of Executive Council from 2nd January to date in margin. B. T. N. S. vol. 55, No. 17

l, 1, lou.

Opinion of Counsel (Jackson) on Acts relating to fees and for making lands and tenements liable for the payment of debts; the provisions in both are improper. R. 4, B. T. N. S. vol. 27

l 5, tehall.

Secretary of State (Dartmouth) to Legge. The estimate was submitted to Parliament before his dispatches were received, so that any grant for roads must be deferred for consideration. His speech approved of. Papers relating to the public accounts received, but he (Dartmouth) believes the matter should be dealt with by the Provincial legislature, which has full power to call defaulters to account.

Col. Cor. N. S. vol. 9, p. 213

(Copy in Col. Off. N. S. vol. 1, p. 195).

l 8, tehall.

Secretary of State (Dartmouth) to Legge. Introduces and recommends the agent of Shoolbred, engaged in a fishery in the Bay of Chaleurs; he is to receive 500 acres with a frontage on the Restigouche of two-thirds, with one-third in depth. The risk of this grant causing jealousy among the Indians, which might defeat the object aimed at; Shoolbred states that it will not have that effect.

Col. Cor. N. S. vol. 9, p. 217

(A copy in Col. Off. N. S. vol. 1, p. 197).

l 9, fax.

Monk to Legge. Had examined into the outstanding accounts due by the officers of the revenue and other inhabitants and applied to the Supreme Court for leave to file bills for recovery of the same, as in a Court of Exchequer, but the Supreme court did not think itself warranted to proceed under the existing powers. Recommends, therefore, that a Court of Exchequer should be constituted. Col. Cor. N. S. vol. 9, p. 300

l 17, on.

Gage to Wentworth. Order for the pay of Cochran. Enclosed in Campbell's letter of 21st April, 1784, which see.

l 24, fax.

Legge to Secretary of State (Dartmouth). The success of his efforts to preserve the Province from disorder. Arrival of a ship driven from New York, whose goods have been landed without opposition. Had shown in his letter No. 35, that his objections to Monk were not personal. (This letter cannot be found). In obedience to instructions, no grant shall be made to Zouberbuhler, but that to Lady Lyttleton shall pass the seals, so soon as the selection is made. Binning's memorial is entered. The failure to raise a fund for the roads by taxing wild and improved lands. Has published approval of the bill to extend the jurisdiction of the Supreme Court. Shall have an Act passed, as recommended by the Lords of Trade, for the alteration in the regulations of the General Assembly. Thanks for the approbation of his procedure in the sale of lands; shall, as instructed, make a proper allowance to the surveyor. In framing the Act concerning reserved lands, neither he nor the General Assembly had any intention to distress the fishermen; shall have

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inquiry made for the purpose of relief. Has ordered Cotnam to p
an account of the lands and settlements at Louisbourg; is informe
Cavanagh had engrossed most of the buildings and improvemen
shall have inquiry made, so as to have all grievances removed.
only means of preventing illicit trade with St. Peter and Miquelo
armed vessels stationed in their neighbourhood. Shall prevent t
ing of coal from Cape Breton, except for the use of the troops.
restraining of the fishery is of interest to Nova Scotia, as many w
persons that do not approve of the conduct of their countrymen a
paring to remove to Nova Scotia to engage in the fishery; the
people of means has been the only reason for the want of success
industry. Col. Cor. N. S. vol. 9,

April 28, Halifax. Monk to Legge. Had been to King's County and prosecuted
viction usurers and oppressors of the poor. Gives account of
ceedings for the recovery of money due to the Provincial Tr
with the names of those in arrear, the sums due, &c.
(Enclosed in Legge's letter of 6th May).

April 30, Halifax. Legge to Secretary of State (Dartmouth). Has received ci
relative to the Colonies. The proposals would probably have
the differences but for an unhappy circumstance which happened
19th between the troops and the people of Massachusetts. The
of provisions to the army and navy has been cut off; Gage and
have sent for provisions to Nova Scotia and measures are in p
for forwarding them. The transport has taken on board four com
of the 65th and sails this evening for Boston.

May 2, Halifax. Same to the same. The difficulties experienced in auditi
accounts; had, however, found several officers indebted in consi
amounts and the Solicitor-General has been empowered to prose
verdict has been obtained against John Newton and Jonathan
for £736, although it was believed no jury could have been got
vict. On the report of the Solicitor-General that many conces
had been made of public money, which should be tried on the Ch
side of a Court of Exchequer, had submitted the point to the C
which remitted it to the Supreme Court for opinion as to the po
the Governor to create such a court; transmits report and the So
General's reasons; the necessity for such a court, but the opinion
Chief Justice is adverse to its formation, unless specially ordered
Crown. Since the action of the Americans against the troops,
communication with the Southern Colonies is stopped; is afra
dispatches to him (Legge) have been stopped also. Is informed t
the letters to Gage have been opened and then sent him.
Enclosed. Minute of Council and other papers respecting the
tion of a Court of Exchequer.

May 3, Whitehall. Pownall to Legge. Sends estimate for 1775. Col. Off. N. S. vol. 1,

May 4, Windsor, N.S. Francklin to Secretary of State (Dartmouth). Gives an acco
the appointment of Binney in 1764, the finding of the juries in the
tried and the state of the collections, &c., as reported to and app
by the Assembly. The extraordinary pleadings of the Solicitor-Ge
Monk. Col. Cor. N. S. vol. 9,
(A defence of Binney).

May 6, Halifax. Legge to Secretary of State (Dartmouth). Sends report o
auditors, showing £11,308 13s. 10¾d. unaccounted for; has in consequ
constituted a Court of Exchequer, the more so, as the accounts ar
kept back from the auditors. The trial of Newton and Binney, ha
are still keeping back accounts. The insolence he has received fr
enraged party, whose members have for years been making spoil o
public revenue and are angry at the prospect of detection. Remona

1775. against the appointment to the Council, of Morden, who has gone to apply for it. Recommends that Henry Newton, Binney, Goold, Butler and Bulkeley, who oppose the investigation of the accounts, should be dismissed from the Council. Recommends Charles Morris, junior, Richard Williams and James Monk to be Councillors. Is sorry to trouble His Lordship, but the affairs of the Province have become of great weight and concern. Col. Cor. N. S. vol. 9, p. 284

Enclosed. Monk to Legge, 28th April; see that date.

Report, 6th May, of the auditors on the deficiencies in the Treasury, from 25th June, 1751, made by the late treasurer and sundry officers appointed to collect the revenue of Nova Scotia. 296

Minute of the Council, 6th May, respecting an Exchequer Court. 297

Monk to Legge, 9th April, see that date.

12, fax. Legge to Secretary of State (Dartmouth). Sends minutes of Council relative to the establishment of a Court of Exchequer and duplicate letters on the same subject; the necessity for such a court, from the conduct of the accountants of the revenue, as shown by the report of the auditors. Owing to the unhappy state of affairs in New England, many of the King's subjects who can no longer remain in safety, are moving into the Province; vessels with families who escaped are already arrived and others are preparing to follow, among them being persons of wealth and ability, who have vessels engaged in fishing and the West Indian trade. Before granting fishing licenses, he had thought it necessary that the applicants should take the oath of allegiance. The good effect of such an addition to the population. 304

23, tehall. Secretary of State (Dartmouth) to Legge. The memorial of Sir Francis Bernard and associates for the surrender of their grant on the St. Croix, in exchange for other lands, is to be complied with. Edmund Crawley is to have the time extended for complying with the conditions on his grant of 20,000 acres at Picton (Pictou). 234

Enclosed. Memorial of Sir Francis Bernard and associates. 238

(A copy of the letter is in Col. Off. N. S. vol. 1, p. 200).

24, on. Gage to Legge. Warns him that persons were emigrating from Massachussetts to Nova Scotia, carrying their seditious principles with them and urges him to be on his guard. Asks for information from time to time of the state of the Province and if persons could be induced to join the King's troops. Hopes the Admiral will soon be able to send a large ship. Lieut. Clark, of the 59th, will submit plan for procuring coal at Cape Breton for the garrison at Boston.

Col. Cor. N. S. vol. 9, p. 449

(Enclosed in Legge's letter of the 19th August).

26, don. Opinion of Counsel (Jackson) on laws passed in Nova Scotia in December, 1774. R. 5. B. T. N. S. vol. 27

(Apparently a mistake for December, 1773).

2, tehall. Secretary of State (Dartmouth) to Legge. Fry and Urquhart, carrying on a fishery at the island of Miscon (Miscou) are recommended to his (Legge's) attention. Col. Cor. N. S. vol. 9, p. 242

(Copy in Col. Off. N. S. vol. 1, p. 201).

7, tehall. Secretary of State (Dartmouth) to Legge. Dispatches received; the steps he has taken for a proper examination and audit of the public accounts are prudent and necessary and the appointment of a proper person to inspect the accounts will be of great utility, but cannot be made if it interfere with the authority of the person holding the office of auditor under the Great Seal. The suspicious nature of the circumstances connected with the loss of the account books. Cannot understand his difficulty about grants to military officers, as all who served, or are serving are equally entitled, and the terms should be construed in the most favourable manner for the claimants. His remarks on the

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trade of Halifax are judicious, but from policy it is necessary every degree of encouragement to the commerce of Quebe informed the Treasury of the incapacity of the collector of quit Col. Cor. N. S. vol.

(A copy is in Col. Off. N. S. vol. 1, p. 202).

June 7, Boston. Gage to Legge. Wishes he (Legge) had more troops. Se Batt and Lieut. McLean (probably Ball, no officer named Batt, the Army list shows, was in the army in 1775 or 1776, but th four named Ball, one captain and three subalterns). They are t in Nova Scotia, the men raised to be formed into companies in On their being mustered and their numbers certified, orders given for their subsistence. Should a considerable body be r force is to be put in command of Gorham, the title of the force "Royal Fencible Americans." He is to supply the two r officers with money, should success be considered probable. try to gain over the Indians. Complains of the shameful a taken in the Province in the present state of the troops, whic possible, to remedy. Col. Cor. N. S. vol.

(Enclosed in Legge's letter of 19th August).

June 12, Halifax. Auditor's report on the Treasurer's accounts, from October 14th February, 1768, signed on the date in margin. R. 21, B. T. N.

The same from 18th February, 1768, to 31st December, 17 signed 21st June.

Accounts of the collectors of impost and excise. These are the amounts given in previous accounts. R.

June 27, Halifax. Legge to Secretary of State (Dartmouth). Has submitt Assembly, as directed, the audited accounts, but as the great the members are public debtors they will, no doubt, excul other, leaving the debt nearly as it is, which is more than Sends copy of his speech and address in reply. Understand Assembly has secretly prepared an address, of the contents of is not aware, except that it sets forth some pretended griev proposals, which would have a bad effect. Three addresses prepared, one to His Lordship (Dartmouth), one to the Speak House of Commons and one to the Lord Chancellor. The in ceedings of the rebels at Boston; scarcity of provisions for and navy; affray at Machias, which he has reported to Gr depositions. Repeated efforts of a turbulent party to interru mony between him and the Assembly. Suspects that copies pondence have been taken in his (Dartmouth's) secretary's transmitted; this has been one means of inciting rebellion in Provinces. Col. Cor. N. S. vol

Enclosed. Governor's speech in General Assembly.

Address by Council.

Address by Assembly.

Answers.

Proceedings of the Executive Council from 15th April, to 1775.

List of Council.

July 1, Whitehall. Secretary of State (Dartmouth) to Legge. The increase of lion makes it impossible to consider the domestic occurrenc Province. In consequence of its fury, many have abandon country and seek protection where it is to be found. Land Scotia to be given gratuitously to refugees; all reservation lands to be suspended and encouragement given in the trade to the West Indies, as well as exportation of coal to the same tion will be made to Parliament for permission to import In

the West Indies. The refugees who are in indigence will be victualled at the public expense and for this purpose he is to purchase and distribute provisions. Col. Cor. N. S. vol. 9, p. 247

(Copy in Col. Off. N. S. vol. 1, p. 205).

Annual account of the Orphans' House for the year ending on the date in margin. Dartmouth papers.

Speaker of Assembly (Nesbitt) to Secretary of State (Dartmouth). Transmits address from the Assembly to be laid before the King.

Col. Cor. N. S. vol. 9, p. 309

Enclosed. Loyal address, suggesting the mode of taxation and means to secure the continuance of the fidelity of the people of Nova Scotia. 310

Secretary of State (Dartmouth) to Legge. Recapitulates contents of previous letters. Cannot decide upon the steps recommended for the prevention of frauds upon the public revenue, without further information, especially as the Chief Justice has doubts on the subject. The conduct of Binney, though not strictly warrantable, did not call for severe prosecution. Reports received that he (Legge) had not only been present at the trial of Binney, but had, by special order, refused to admit him to bail. Cannot, on the grounds given, recommend the removal of Newton, Binney, Goold, Bulkeley and Butler, at a time when so much depends on the united efforts of every man in the Colony. 252

(Copy in Col. Off. N. S. vol. 1, p. 210).

Address from the Legislative Council to the King, expressing their loyalty and attachment. Dartmouth papers.

Gage to Legge. Thanks for his (Legge's) effort to supply fuel. Wishes he (Gage) could give more assistance to guard the military stores at Halifax, but hopes the recruiting parties will be successful, so that help will centre with him (Legge). Care to be taken that the recruits are properly trained and made fit for service to become useful as soon as possible. If found necessary to give commissions to Nova Scotia, that shall be done. Is still at war and things promise to be worse rather than better; a staff from the Continental Congress has joined the rebels; Washington of Virginia commands. Lee is amongst the major-generals and Horatio Gates is adjutant-general.

Col. Cor. N. S. vol. 9, p. 454

(Enclosed in Legge's letter of 19th August).

Lists of Acts passed between 12th June and date in the margin.

R. 17, B. T. N. S. vol. 27

Proceeding of Executive Council from 3rd to 25th July.

B. T. N. S. vol. 55, No. 19

Legge to Gage. Had informed him of the preparations at Machias to intercept vessels with stores for the army and navy and to attack the Province and that little dependence could be placed on the inhabitants, many of whom had removed from New England; the forts are without cannon or troops. A vessel of 130 tons is fitting out at Pemiquid, so that it is to be feared the navigation of the Bay of Fundy will be interrupted. A sloop of war and one or two armed schooners should be stationed to protect the provision vessels and to cruise between the Grand Passage and Passamaquoddy. Had consented to allow the magistrates of Annapolis to obtain cannon and ammunition, but on applying to the naval officers, he was told the instructions from the Admiral prevented this. Thinks conditional orders should be given so that the armed vessels might assist in unforeseen contingencies. The militia will cheerfully do duty were they given an allowance, thinks twelve pence for every day they do duty would be a sufficient inducement. Shall attend to instructions in letter of 14th July respecting the training of recruits. Is sorry to find some of His Majesty's old servants have joined with the rebels. Col. Cor. N. S. vol. 9, p. 456

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(Enclosed in Legge's letter of 19th August).

July 28, Halifax. Legge to Secretary of State (Dartmouth). Sends copies o journals of Council and Assembly and minutes of Executive Co

Col. Cor. N. S. vol.

(Laws are in printed collection among the Archives. Copi

July 29, Halifax. B. T. N. S. vols. 52, 53, 54 and 55).

Legge to Secretary of State (Dartmouth). Is sending Ba lay before His Lordship the state of the Province; his qualifica this duty; his faithfulness in the discharge of the functions of h

July 29, Boston. &c.

Col. Cor. N. S. vol.

Gage to Legge. Congratulates him on having kept the firm to Government; if the militia could be embodied and the while on duty, imagines the Province would be entirely secure sent officers to recruit in Newfoundland, who are to send th Halifax, to be joined by those raised there. The Admiral will a vessel to Halifax; asks if he could get 20 or 30 ship carpen as many seamen to be sent with the ship to Carleton. He Admiral will correct the insolence of the pirates at Machias.

(Enclosed in Legge's letter of 19th August).

July 31, Halifax. Legge to Secretary of State (Dartmouth). Gives an accou proceedings of an inveterate party in Nova Scotia, on which already reported and the difficulties that may be caused owin unhappy state of affairs in America. The agitation caused leader and his partisans has delayed public business. The A acting with them, has sat for six weeks and done nothing, givi opposition to him (Legge) led by a select party of members w taken offence at being removed from the office of justice of the exciting disturbances; these with debtors to Government fo majority; the loyal addresses were prepared before the com Day, a member, had resided for some time in Philadelphia and republican principles; he is one of the agent victuallers of the a assisted by Tonge, the naval officer, framed a petition to the lessen the power of the Governor, Council and officers of Govern throw the whole weight of power into the hands of the Assemb bait held out to keep up a majority was that the debtors s exculpated and every man's pocket filled with money; £20,000 be emitted in paper by establishing a loan office, but no provi made for taxes to meet the Treasury notes, of which £20,000 standing. The bill was rejected by the Council causing great in the Assembly; Binney's affair was made use of to increase th ment. Laments that in so critical a time, several officers of Gov should by their conduct tend to make the Assembly absolute.

Dartmouth

July 31, Halifax. Same to the same. Sends address from the Council to be la the King. Has received copy of the address sent by the Assem objection to its terms; the opinion of the Council on its substan

Col. Cor. N. S. vol.

Enclosed. Address from the Council.

Opinion of Council on the Assembly's address.

July 31, Halifax. Legge to Secretary of State (Dartmouth). Sends depositions ing the outbreak at Machias and the fitting out of a sloop to c vessels from the Province with cattle and hay for the troops at The Congress of Massachusetts has empowered the people ther the neighbourhood to act against the troops and a vessel ha apparently against the forts at Annapolis and on the St. John Most of the inhabitants on the borders and at Annapolis are fr England, so that little or no dependence can be placed on them in Halifax are disaffected, and when it was known that hay w

75. sent to the troops at Boston, a stack of 8 or 10 tons in a field was set fire to and destroyed, and the buildings in the navy yard set on fire maliciously. The troops have all been removed, except 36 effectives, who are guarding the magazine and ordnance store, and about 30 militia are doing patrol duty. He has issued a proclamation to the magistrates to preserve order and to apprehend all disloyal persons stirring up or making disturbances. Is apprehensive that affairs will not soon be settled; the inhabitants are aiming to join the Massachusetts rebels, troops required for the defence of the navy yard, stores, &c. Proposes to raise 1,000 men; if placed under his command he could answer for the preservation of the province against which the other Colonies are strongly prejudiced and will allow no vessel to sail for it with provisions; the consequent scarcity of bread; all other provisions abundant. Has sent these reports by Burrow, who can give further information. Col. Cor. N. S. vol. 9, p. 401

Enclosed. Proclamation that all persons arriving must take the oath of allegiance. 407

Proclamation forbidding the exportation of gunpowder, &c. 409

Proclamation forbidding aid to rebels. 412

Deposition of Jabez Cobb, master of the "Britannia," of the outbreak at Machias, the attack on the officers of the King's armed schooner "Margaret", etc. 414

Deposition of Thomas Flinn, master of the "Falmouth Packet," giving additional details, corroborated by Isaac Danks, his mate. 416

Deposition of Phineas Lovet, respecting the inquiries at Machias of the strength of the forts at Annapolis and the St. John River. 420

1, x. Legge to Secretary of State (Dartmouth). Transmits report of the auditors on the public accounts, books of accounts of the treasurers, late and present, and abstract of such of the accounts of the collectors as were laid before the auditors; Burrow will give a full explanation. His expectation as to the course of the Assembly in respect to the accounts has proved correct. Two bills passed for the relief of Binney and other creditors, although a verdict had been given against Binney in a court of law; has reserved the bills for his Majesty's consideration. Other bills reserved for reasons given. Transmits copies of bills to which the Council did not agree. Remarks on those to which he had assented, &c. 422

Enclosed. Address of the Assembly to the Governor, asking him to assent to certain bills for the relief of Binney, &c. 428

Address from the Assembly, that no further prosecutions be carried on against any of the collectors or receivers of the revenue, or others indebted to Government, until the House can examine the accounts. 431

Address of the Assembly on bills not agreed to by the Council. 432

t 1, x. Legge to Secretary of State (Dartmouth). Shall have inquiry made as to to the situation of lands asked for by Shoolbred, and shall expedite the grant through the several offices, if there be no obstruction on account of Indian claims. Recommends granting lands for school purposes in Halifax and asks for a grant of about 35 acres, including George's Island, to be given up should the lands be wanted for fortifications. 439

t 2, hall. Secretary of State (Dartmouth) to Howe. In consequence of Gage's return to lay before the King the state of his command, he (Howe) is to be commander-in-chief for the time, Carleton to hold the same rank in Quebec; should the two armies come together, Carleton is to command the whole as senior officer. The intentions of the King are stated fully to Gage in his (Dartmouth's) letter of same date. A. & W. I. vol. 431, p. 70

[illegible]

(An extract from the letter to Gage of 2nd August was sent by Suffolk on 16th October; but neither letter nor extract is among the correspondence).

August [illegible], Whitehall. Secretary of State (Dartmouth) to Legge. His conduct in requiring persons from New England to take the oath of allegiance before granting them certificates for carrying on the fishery, is approved of. By letter of 1st July, his (Legge) was authorized to grant land gratuitously to refugees, who should also be required to take the oath of allegiance.

Col. Cor. N. S. vol. 9, p. [illegible]

August [illegible], Halifax. (Copy in Col. Off. N. S. vol. 1, p. 212).

Legge to Secretary of State (Dartmouth). Remarks on the manner in which the proceedings respecting the address from the Assembly against himself had been conducted. Thinks the Governors should have more authority over officers of Government. Col. Cor. N. S. vol. 9, p. [illegible]

August [illegible], Halifax. Same to Gage. Reports Barter's proposal to raise the number of carpenters and marines wanted; they cannot be raised on his terms, as wages are very high. Has ordered him to raise 25 of each, to enter into pay on signing the agreement. Shall do all in his power to expedite the affair. [illegible]

August [illegible], Halifax. (Enclosed in Legge's letter of 19th August).

Legge to Gage. Has made an agreement with Barter, who has procured 10 men, half carpenters and half seamen; could have completed the number, but wished to obtain suitable men, whom he could secure before the ship arrived. The militia of the province are not to be depended on in case an attempt should be made from the Eastern part of New England, as most of them came from there. Capture of Knight and his two vessels at Machias; movements of vessels from there to intercept provision vessels from Nova Scotia; other vessels for the same purpose lifting out at Boston. Refusal of the officers to take the recruits to Windsor. The evil effects of this disobedience on the part of His Majesty's officers; must have troops and officers who will obey orders, or he cannot preserve order and the navy and army will be disappointed in the expectation of receiving supplies. Col. Cor. N. S. vol. 9, p. [illegible]

August 18, Halifax. Same to the same. The different objects the Americans may have in attacking the province; to prevent the army from obtaining supplies, or to possess themselves of the military stores, among which are 300 cannon; or perhaps principally to destroy the naval yard. How he proposes to secure the stores and powder by shipping it in small vessels under the protection of H. M. S. "Tartar"; suggests building block houses and pickets to secure the cannon; this could be done at little expense, and would not only be an effectual defence, but would, on its being known, prevent an attack from being made. Asks that the troops may be exchanged for others who would obey orders. [illegible]

August 18, Halifax. (Enclosed in Legge's letter of 19th August).

Legge to Gage. His reason for moving the military stores on board vessels. Correspondence with the rebels held by persons in the town; attempts at arson; opposition shown to the services of the Crown; necessity for a stronger force commanded by officers who will obey orders. [illegible]

August 18, Halifax. (Enclosed in Legge's letter of 19th August).

Legge to Secretary of State (Dartmouth). Recommends His Lordship to acquire for four or five of his sons 20,000 acres each, which would increase in value by the formation of settlements.

Dartmouth papers.

August 19, Halifax. (There are two copies of this letter).

Legge to Secretary of State (Dartmouth). The critical state of the King's troops in Boston; the loss in the affair at Charleston in which, though a victory, 1,000 were killed and wounded. Provisions can only be had in Nova Scotia, where they do not abound, but a quantity has

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been sent and more are ready to sail, but are prevented by vessels from New England cruising in the bay. Preparations making for an attack on the province; sends copies of correspondence with the General. The importance of preserving the province and the necessity for fortifications to that end. The Governor should have power to expend money on an emergency. Gage advises him to raise militia, but can men be retained without pay? All the troops in Nova Scotia should be under his (Legge's) command. There are no defences round the town, the batteries are dismantled and the gun carriages decayed. Asks that leave of absence for Burrow be obtained from the Treasury.

Col. Cor. N. S. vol. 9, p. 444

(The enclosures Gage to Legge, 24th May, 7th June, 14th and 29th July, and Legge to Gage, 26th July, 7th, 16th and 18th August (2) are at their respective dates).

ptember 5, hitehall. Secretary of State (Dartmouth) to Howe (separate). Had in letter to Gage of 2nd August, pointed out the ideas held respecting the different operations in North America, but had given no opinion of his own, although he had described in general terms the advantage of taking post at New York and the hazard of the army continuing at Boston in the winter. The dangerous situation of the troops in Boston; unless some unexpected success should be met with, "it seems not only advis- "able but necessary to abandon Boston before the Winter; to dismantle "Castle William and having embarked all the stores and artillery and "afforded every means to the well disposed inhabitants of getting safely "away with their families and effects, to remove with the Troops either "to New York or to some other place to the Southward." The advantage of the new position. The present deputy adjutant-general and deputy quarter-master general may be removed and their positions filled up by better qualified officers. A. & W. I. vol. 431, p. 72

ptember 5, hitehall. Same to the same (secret). Recapitulates the contents of the separate letter. The Empress of Russia is to furnish 20,000 troops for service in North America. 75

ptember 8, hitehall. Pownall to the same. Sends draught of the letter of 5th September, sent to Dartmouth for signature, but as it contains very important intelligence, it is decided not to wait for the signature; the letter has been approved of by the King. Respecting the measures to be taken regarding the merchandise and effects in Boston. His attention is to be turned to the security of Halifax. 77

ptember 14, hitehall. Same to Legge. Sends duplicate letter to be forwarded to Carleton, in case the original should not reach him, owing to the lateness of the season at which the schooner was sent. The letter is of very great importance. Col. Cor. N. S. vol. 9, p. 391

(Copy is in Col. Off. N. S. vol. 1, p. 213).

The date of the letter to Carleton is not given. Two letters were sent, one dated the 8th, to go by the "Lizard," which had sailed from Falmouth before the messenger arrived; the other dated 14th gives the reason of the delay, and that the "Magdalen" schooner had been especially engaged, by which both letters were dispatched. The importance of the letter consisted in secret intelligence from Governor Tryon of New York that preparations were making for a descent on Montreal and Quebec, and the agreement of Russia to send 20,000 troops to North America. Both were signed by Pownall "in the absence of Lord Dartmouth." See Canadian Archives, series Q. vol. 11, pp. 217, 219, 220.

ptember 16, hitehall. Pownall to Legge. The address, petition and memorial to the King and both Houses of Parliament were graciously received.

Col. Off. N. S. vol. 1, p. 214

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September 16, Whitehall. Pownall to Speaker of Assembly (Nesbitt). The address received and laid before the King; the fullest consideration will be given to the propositions contained therein. Col. Cor. N. S. vol. 9, p. 28

September 16, Whitehall. Same to Legge. Encloses memorial of Alexander Grant; petition for escheating his lands to be stayed, and the time for clearing and settling them to be extended for ten years. 28

(Copy in Col. Off. N. S. vol. 1, p. 215).

September 18, Whitehall. Pownall to Legge. Letter enclosed prepared for the signature of Dartmouth, but he is absent; presumes he will judge it necessary to stay all proceedings upon the escheating of Grant's lands.

Col. Off. N. S. vol. 1, p. 2

October 2, Halifax. Legge to Secretary of State (Dartmouth). Instructions shall be attended to respecting the grants to Sir Francis Bernard and others and to Edmund Crawley. The utility of the office of inspector of accounts to which Burrow was appointed; the duties did not appear to interfere with those of the Auditor General. Has desisted from attempts to find the missing books, papers and accounts of the late treasurer and left the matter with the Assembly. The instructions respecting lands for officers have removed his doubts. The constitution of an Exchequer Court was for nine months for the more effective investigation of Crown cases in equity. The prosecution of debtors was resolved on by Council, but not entered upon until three months' notice had been given to them to pay their respective debts. Binney was one of these and it was owing to himself and his advisers that matters were carried to extremity and not to any interposition by him (Legge) as would be seen by the affidavit of the Provost marshal enclosed. With every equitable allowance, the Assembly found him indebted to Government £186; had attended at the court, but with no intention to overawe either side and had previously sent word to the Chief Justice, who had provided a seat and said nothing of its being improper. Had always endeavoured to cultivate unanimity in the Council. Col. Cor. N. S. vol. 9, p. 48

Enclosed. Affidavit of John Fenton, Provost marshal, respecting the case of Binney. 46

October 12, Halifax. Ellis to Legge. Hears that a fleet is to winter at Halifax; if so, some of the ships may be unprovided with chaplains. Asks for his (Legge's) influence to procure him such an appointment. Dartmouth papers

October 16, Whitehall. Secretary of State (Suffolk, in absence of Dartmouth) to Legge. So soon as it was seen that the New England Provinces, meditated open revolt, instructions were sent to attend to the defence of Nova Scotia, as shown by extracts from letters to Gage and Howe by Dartmouth, dated respectively the 2nd August and 8th September. The apprehensions for the safety of Halifax increased by the outbreak at Machias; one of the five regiments for North America has been, therefore, ordered to sail direct for Halifax; two others are ordered to Quebec; if they cannot reach there, they are to put into Halifax and the "Roebuck," a 40 gun ship, has sailed more than three weeks ago for Halifax. The attack from Machias on St. John and Annapolis gives reason to fear that an attempt has been made on Halifax before succour could reach, unless the presence of the "Tartar" in the Bay of Fundy has discouraged it. As the regiment sent may be wanted elsewhere, he is to raise 1,000 men, divided into ten companies properly officered, to be commanded by himself with the local rank of colonel, to be for local defence only, but under the control of the commander-in-chief. He is to draw on the Treasury for their pay and allowances, which are to be the same as those in the regular army; should it be an inducement, he may make grants of land to the officers and men. When he is strong enough, he is to disarm the inhabitants in the Bay of Fundy and other places settled by New Englanders. The extensive nature of the fortifications required will not

admit of a regular plan for the defence of Halifax harbour, but temporary defences are to be erected and an engineer will be sent for that purpose, if there is no principal engineer on the spot. All other matters shall be fully considered by Dartmouth on his return, but the King is displeased at the dissensions in the Provincial Government over trivial matters. Col. Cor. N. S. vol. 9, p. 473

(The letter to Gage, dated 2nd August, is not to be found. One of that date addressed to Howe by Dartmouth, informs him that he is to command during Gage's absence and concludes: "I have in a separate "letter to General Gage of this day's date, stated to him very fully the "King's Intention with regard to the Force to be employed next year "in North America, and suggested many things respecting the ideas of "a plan of operations. That Letter he is directed to leave with you "when he comes away)."

(A copy of Suffolk's letter is in Col. Off. N. S. vol. 1, p. 216).

Pownall to Legge. Sends letter from Suffolk of same date by one of His Majesty's packet boats, which is to return immediately, unless she is required for sending important information to the Commander-in-chief. Col. Cor. N.S. vol. 9, p. 482

(Copy in Col. Off. N. S. vol. 1, p. 222).

Joseph Mauger to Pownall. Defends the character of the inhabitants of Nova Scotia against the charges of disloyalty made against them. On account of the refusal to join the other Colonies, he is afraid of an attack on Nova Scotia and, as there are no troops, the naval dock and stores may be easily destroyed. Col. Cor. N. S. vol. 9, p. 484

Legge to Secretary of State (Dartmouth). Reports received from Quebec that Isle aux Noix was taken by the rebels; that in a skirmish with the Indians they had been defeated; that they had been repulsed in their attack on the fort at St. John's (on the Chambly); that the Canadians in general had refused to join the British, except in Quebec and it was feared the whole Province would be taken possession of. Report by Gorham from Boston that 1,500 of the rebels had marched to the eastward and that they intended a descent on Nova Scotia as well as Canada, to destroy the navy yard and cut off all supplies from the troops at Boston. He has issued a proclamation to put the military laws of the Province into execution, as the rebels had burned Fort Frederick and seized a vessel loaded with stores for the troops in Boston. Is forming the militia into light companies; the necessity for subsistence; has written to the Admiral on the refusal of captain of H. M. S. "Somerset" to give provisions from the store ship. Has called the assembly together to take measures of defence. In reference to the 1,000 men he proposed to raise, finds that two regiments have been recuriting, suggests, therefore, that part of the force proposed should be raised in Scotland and Ireland. If this regiment, under the name of the Royal Nova Scotia Volunters, could be raised for three years, on the same conditions as the Royal Highland Emigrants and Royal Fencible Americans, he could make it very useful both for defence and for opening roads, and officer it with half-pay officers and other men of influence. Has communicated to the Council dispatch of 1st July and by its advice has issued a proclamation respecting the care His Majesty would have for those who shall seek an asylum in the province. The scarcity of provisions. The advantages proposed for the trade of Nova Scotia will soon be of great utility. Col. Cor. N. S. vol. 10, p. 3

Pownall to Mauger. No charges will be listened to by Dartmouth against individuals, without hearing them in justification. Anger, ill humour and resentment amongst the servants of Government cannot be

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pleasing to the King, especially when public danger calls on them to unite. Reinforcements sent for the defence of Halifax.
Col. Cor. N. S. vol. 9, p. 46.

October 23, Halifax. Address of the Legislative Council to Legge on the opening of the legislature, testifying their zealous attachment to the King and their abhorrence of the daring spirit of rebellion. Shall do all in their power to frustrate any attempt to disturb the peaceful state of the province. The address of the Assembly, unsigned and undated, is of the same date as shown by the journal. Dartmouth papers.

(Both addresses are in the journals of the respective Houses).

October 24, Dover Street. C. Wintringham to Secretary of State (Dartmouth). Sends papers from Monk and another from the author, who desires to conceal his identity as otherwise he would have a distressing life in Nova Scotia.
Dartmouth papers.

November 2, Halifax. Gorham to Legge. The resolution of Council that he should engage and form two or more companies of Indians and Acadians having been desired by His Excellency to be deferred or dropped, prays him to reconsider the matter in Council so as to exculpate him (Gorham) as he stands in the Council books accountable for the immediate prosecution of the measure. From the distressed situation of the Indians, owing to their want of ammunition and provisions, the measure is an object requiring immediate attention. Dartmouth papers.

November 4, Halifax. Legge to Secretary of State (Dartmouth). Reported repulse of the rebels in their attack on Fort St. John's (Chambly) with great loss. The care of Admiral Graves in stationing vessels has prevented the attack on Nova Scotia and he proposes to station two ships of war in the Bay of Fundy. He (Legge) is providing for the defence of the province: two companies of Acadians are formed in the neighbourhood of Annapolis; two more near Chignecto and one company of inhabitants at Halifax. Shall endeavour to form as many companies as the country can afford and the Assembly is now considering means to this end. Owing to the poverty of the province he may be obliged to draw on the Treasury for defence; the troops can obtain supplies only from Nova Scotia. Is endeavouring to gain the Indians, but has no funds: the Americans are trying to gain them over and if they succeed, the Indians would be more formidable to the settlers than an American army. Has been unable to get relief from Gage till a few days ago, when two companies of the 14th arrived and about 70 of the Royal Fencible Americans; Gorham's return shows that though the number is 390, only 126 are fit for duty. Spry is erecting temporary defences; fortifications required. Sends speech to and addresses from the legislature. Col. Cor. N. S. vol. 10, p. 18

Enclosed. Speech, addresses and answers. 14 to 21

(These are in the journals of the respective Houses).

November 14, London. Opinion of Counsel (Jackson) on Acts passed in Nova Scotia in July, 1775. The Act to prevent waste, &c., of pine and other trees should, from its ambiguity, either be repealed, or explained by another Act. The other Acts submitted are proper in point of law.
R. 25, B. T. N. S. vol. 37.

November 20, Halifax. Legge to Secretary of State (Dartmouth). Sends estimate for the civil establishment. Has acknowledged the grant of £500 for roads: the necessity for these during the troubles in America, when troops must be marched for the defence of the distant settlements. The forts also should be repaired and garrisoned to prevent them from falling into the hands of the rebels; had written to Howe on the subject, but received no answer. How he would divide the forces were the forts put in order. R. 25

Enclosed. Estimate. R. 25

75.
ber 21, Lords of Trade to the King. Recommend the disallowance of Acts
hall. for establishing fees, for making lands and tenements liable to payment of debts and for establishing the rate of interest, the reason being given in respect to each Act. B. T. N. S. vol. 38, p. 450

ber 27, Legge to Secretary of State (Dartmouth). Thanks for approbation
x. of his conduct in administering the oaths to persons arriving from the continent; designs of American emissaries to alienate the minds of the people; precautions taken; Act passed to punish traitorous correspondence. Loyal Associations formed in the counties of Halifax, King and Annapolis; a like association has been entered into in the House of Assembly. Sends memorial from the Council for liberty to the inhabitants to supply themselves with coal from Louisbourg; the scarcity of wood, all coming being taken to Boston for the troops. Asks leave for vessels for the West Indies to take coal as ballast from Louisbourg; sends address of the Assembly on the same subject and copies of laws. Stranding of a French vessel; assistance ordered. Col. Cor. N. S. vol. 10, p. 26

Enclosed. Address of Council respecting the supply of coal. 31

Address of Assembly to the same effect. 33

ber 27, Legge to Secretary of State (Dartmouth). In answer to His Lord-
x. ship's letter respecting the supply of provisions to persons seeking an asylum, reports the absolute scarcity, the trade with all the Colonies being entirely put an end to, and no bread can be expected from Canada till next June, should that Province be then in possession of the Crown. Asks that at least 1,000 barrels of flour should be sent from Great Britain and about 600 barrels of pork, with butter from Ireland. In the meantime shall draw for £2,000 sterling for the refugees, to be paid them at the rates fixed, so that they may supply themselves at the markets as best they can, but the price of all provisions is doubled. The want of specie has reduced the price of bills of exchange by ten per cent, which is another reason for purchasing the provisions in Britain. The want of specie might be remedied by sending out the grants for the officials in money, as the merchants take advantage of the want of specie to reduce the price of sterling bills 20 per cent below their value, to the great distress of the officers. 35

ber 28, Same to the same. Strongly recommends James Monk, solicitor
. general, on account of his services. 39

ber —, Burrow to the same. Had attended Lord [George] Germain, but had
i. no opportunity to state the case; asks if half an hour's interview can be obtained with Germain at his house. In a postscript he says the abolition of the office of inspector would be a triumph to Francklin and an injury to the Province, as he and his party boast of the influence they possess. Dartmouth papers.

ber 4, Stanton (captain in the 14th regiment) to Legge. Owing to con-
. trary winds he had been unable to cross the Bay of Fundy to reach the Indian settlements. The result of his investigations going to and returning from Annapolis was, that the settlers from New England were rebellious and desired the success of the rebels, declaring when heated in argument or intoxicated that they would sooner kill an Englishman than a dog. Request of the inhabitants for a respectable force for the protection of Annapolis, Cumberland and Windsor. The danger that he believes would arise from attempting to raise a militia, since the large proportion of the settlers is from New England where their friends are in actual rebellion. Col. Cor. N. S. vol. 10, p. 78

ber 5, Lords of Trade to the King. Recommend that assent be given to Act
all. for securing the payment of certain debts due to the Province and Act for the relief of Jonathan Binney. B. T. N. S. vol. 38, p. 457

ber 5, Legge to Secretary of State (Dartmouth). Report that Montreal is
. in the hands of the rebels, which deprives Nova Scotia of every resource

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for supplying the army, navy and inhabitants with bread; the only supply must be sent from Great Britain and Ireland to be here early in spring, the safest time; vessels have arrived in the beginning of March. The Americans have armed cruisers on the coast, have intercepted vessels for Boston, have been in Canso and carried off vessels belonging to the Province; their crews landed on the Island of St. John and carried off Callbeck, the commander of the island, and several officers of Government; has accordingly proclaimed martial law; encloses proclamation. Arrival of Brigadier Massey after a long passage. The transports for Canada have gone up for its relief; is afraid, from the severity of the season, they will not succeed; hopes they will be able to make Halifax, which is open at all seasons. Col. Cor. N. S. vol. 10, p. 41

Enclosed. Proclamation declaring martial law. 44

December 5, Yarmouth, N.S. Report to Legge of an attack by two armed vessels from New England and some of the inhabitants carried off; advice and protection asked for. Dartmouth papers.

December 15, Halifax. Proceedings of Executive Council, from 2nd August to date in margin. B. T. N. S. vol. 55, No. 20

December 20, Halifax. Legge to Secretary of State (Dartmouth). Has certain intelligence that two armed schooners landed parties at Cape Sable, who had carried off militia officers, commissioned to raise two companies, and told the inhabitants that if they remained quiet they would not be molested; they have, in consequence, sent a memorial that they may be allowed to remain neuter [neutral]; memorial enclosed; the Council refused to grant the request. Has written to the Admiral and General for protection against the pirates. Learns that five armed vessels have been fitted out to prey on the trade of Nova Scotia and that other armed vessels are to be ready in spring. Congress has set apart 5,000 men to attack Nova Scotia, so as to obtain possession of, or destroy it, that it might be of no use to the army or navy. The armed vessels had also orders to seize him (Legge) and others pointed out. Sends return of military force, showing 980, but only 446 fit for duty. Col. Cor. N. S. vol. 10, p. 47

Enclosed. Memorial from inhabitants of Yarmouth. 51

State of the troops in Nova Scotia. 54

December 22, Halifax. Legge to Secretary of State (Dartmouth). Dispatches received. The severity of the weather will probably prevent further attacks on the Bay of Fundy this Winter. The coast may be infested and communication intercepted between Halifax and Boston, but is in hopes the Admiral will take steps to prevent this. Thanks for the measures to preserve Nova Scotia; its importance under present circumstance. Shall use his utmost efforts to raise, as directed, a regiment for the defence of the Province; the difficulties arising from want of money; requests that specie may be sent by a man of war, as it is probable the rebels will have cruisers on the coast early in spring. The impossibility of getting provisions had prevented the raising of militia. The disarming of the disaffected can only be done when the troops are so disposed as to prevent ill consequences, but at present they have neither powder nor ball; ammunition should be sent with every detachment for the troops and for the well affected. It will be seen by the papers transmitted that he has not omitted to press everything for the public service. The measures he has taken to ascertain the loyalty of people from the Colonies and the precautions taken in suspicious cases. 55

Enclosed. Copy of oath administered to persons from the Colonies. 61

December 23, Halifax. Legge to Secretary of State (Dartmouth). Sends laws, journals, minutes and list of Council. 64

Enclosed. List of Council. 65

1775. Legge to Suffolk. Dispatches received. The determination of the
ember 23, Congress to destroy Nova Scotia; the small-pox in Halifax and the
lifax. presence of the fleet had prevented attack. The arrival of reinforcements has changed the military appearance of the Province.
Col. Cor. N. S. vol. 10, p. 66

ember 23, Same to Pownall. Dispatches received; shall not delay the packet.
lifax. Introduces and recommends Burrow. 68

ember 26, Same to Secretary of State (Dartmouth). The steps he is taking to
lifax. raise the force of 1,000 men; a bounty of two guineas and a guinea and a half for necessaries offered. Has drawn bills for supply of the latter as they cannot be obtained in the Province. Asks for £10,000 of specie and for provisions, blankets, rugs and beds. Recommends Captain Stanton, appointed major in the corps to be raised, an office he has accepted under certain conditions. Shall take steps, when the season admits, to secure the services of the Indians. 70

Enclosed. Extract of Suffolk's letter of 16th October. (For whole letter see 16th October, 1775.)

ember 29, Legge to Secretary of State (Dartmouth). Sends account by an officer
lifax. of the 14th, who left Quebec on the 9th of November, of the proceedings of the rebels under Montgomery; also paragraph from a Cambridge newspaper of 21st December, showing the imminent danger if not total loss of Canada. Urges sending 500 draughts from different regiments to serve with his regiment which, he is afraid, will not be completed so soon as he had hoped. 82

Enclosed. Report by an officer of the 14th of the capture of St. John's on Lake Champlain and of Fort Chambly. Repulse of Carleton at Long Gueule (Longueuil); Point Levy taken possession of by 1,500 rebels. The composition of the garrison of Quebec; ships of war preparing to haul close to the wharves; fears that Carleton and Prescott would be taken prisoners. 84

Extract from a Cambridge paper reporting the success of Montgomery at Montreal, &c. 86

date. Address of Assembly to Legge. Differ in opinion with him in respect to Binney and pray for the removal of James Burrow, Inspector General. The address expresses devotion to the King and attachment to the supreme legislature. R. 19. B. T. N. S. vol. 27

1776. Legge to Secretary of State (Dartmouth). The advance of the rebels
uary 1 in Canada and their determination to conquer Nova Scotia, are very
ifax. alarming. Has called out part of the militia, but is informed from Annapolis and King's County, that the people in general refuse to be embodied. Has reason to believe that the public advice given in Council is counteracted privately and every obstacle thrown in the way of arming the militia, so that only paid troops can be depended on. Having proclaimed martial law, he has nominated a Council of war, to have under consideration military affairs only, so that measures of defence may be taken with secrecy and dispatch, as hitherto every measure taken has been communicated to the rebels, who have, it is reported, determined to destroy Boston. The rebel army in Canada amounts, according to the best information, to 8,000 and that about Boston to 17,000 men.
Col. Cor. N. S. vol. 10, p. 93

uary 1, Copy of letter, apparently to Mauger, communicated to Pownall.
ifax. Affairs at Boston; the bad arrangement of the military. The obstinacy of Legge at Halifax and his unpopularity; numerous complaints sent against him. "If he is not removed we shall be all in flame." Unless reinforcements come soon the Province will be lost. The letter (apparently written by a member of the Council) strongly denounces the conduct of Legge. 165

uary 1, Address from members of the Council, signed by Jonathan Belcher
ifax. Henry Newton, Jonathan Binney, Arthur Gould and John Butler, pro-

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testing their fidelity and that they had formed an association to support and maintain with their lives and fortunes His Majesty's person, Crown and dignity and to oppose attempts to seduce the inhabitants from their loyalty. Complain of the conduct of Legge since he became Governor, giving instances, and pray for relief. R. 29x30. B. T. N. S. vol. 27

January 2, Halifax. A petition from the principal inhabitants of Nova Scotia, praying for Legge's removal. R. 29

(Duplicates of these documents are in the Dartmouth papers).

Charges against Legge of ill treatment, &c. R. 30

January 2, Halifax. Legge to Secretary of State (Dartmouth). Sends duplicates of laws, journals, &c. Col. Cor. N. S. vol. 10. p. 87

January 2, Halifax. Francklin to Secretary of State (Dartmouth). Recalling his services, which entitle him to attention and consideration at the hands of Legge who, on the contrary, slights and neglects him. There is reason to believe that Legge has represented all the inhabitants, even the officers of Government, to be disloyal. If so, the representations are totally untrue; Legge by his vindictive, oppressive and ungracious conduct has lost the confidence of all and any disaffection that may exist is largely owing to himself. Had come to town to pay his respects to Commodore Arbuthnot and General Massey and to offer his services, but as he has no part in the military establishment of the Colony, he can be of little assistance. 89

(This letter was inadvertently dated 1775; a duplicate is among the Dartmouth papers).

January 2, Halifax. Arthur Goold to Secretary of State (Dartmouth). Complains that Legge refuses to sign bills for the office rent and "fine money," always hitherto paid quarterly, to the great distress of the officers entitled to the allowance. Dartmouth papers.

January 2, Halifax. Memorial of Chief Justice Belcher for leave to retire. Col. Cor. N. S. vol. 10. p. 92

January 3, Truro. Representation and petition of the inhabitants of Truro against the Act for raising the militia and the Act for imposing a tax for its support.

Another (undated) to the same effect from the county of Cumberland, entering into greater detail. Endorsed 1775.

Another from Onslow to the same effect is endorsed 30th October, 1776, but this appears to be an error, as Legge left Nova Scotia in May of that year; see also his letter of 11th January, 1776, in which copies of the memorials were enclosed.

"Notes and observations upon the state of Nova Scotia in the year "1775 and the Petitions and Remonstrances against carrying certain "Acts into Execution, then judged by the Legislature necessary for "putting the Province in the best state of Defence that the then cir- "cumstances of the People would then possibly admit and the obvious "motives which actuated the Petitioners in their Opposition." It is chiefly taken up with a criticism of the address from Cumberland as a type of the others which, it is contended, shows their sympathy with the rebels and their intention to oppose the execution of the militia Act. There is neither date nor signature; the handwriting is that of Gibbons.

The four preceding documents are among the Dartmouth papers.

January 3, St. James's. Order in Council to confirm Acts for securing the payment of debts due to the Province and for the relief of Jonathan Binney. Col. Off. N. S. vol. I. p. 225

January 10, Halifax. "Return of officers for garrison allowance of His Majesty's loyal Regiment of Nova Scotia Volunteers." The names of the officers, with the dates of their commissions, are given. Dartmouth papers.

1776
nuary 11,
lifax.

Legge to Secretary of State (Dartmouth). Sends memorials from Truro, Onslow and Cumberland, to show the spirit of the people, as the feeling represented in these is general; it will require the most diligent attention to prevent them from joining the enemy in case of an invasion. These feelings, he has reason to believe, have been encouraged by persons disaffected. The arrival of troops has removed the necessity for calling out the militia, which would not have added to the safety of the Province. The establishment of a Provincial regiment in British pay has given general satisfaction and he is using every exertion to complete it, but still recommends that 500 draughts should be sent, as he believes the rebels will attack early in spring. Has recommended that Forts Annapolis and Cumberland should be garrisoned, which Howe approves of but thinks it dangerous to divide the force; should the rebels take these forts, it would enable them to cut off all supplies from Nova Scotia to the army and navy. Understands that Binney is preparing to sail for England, without calling on or informing him (Legge) and that a memorial is to be sent by him against him (Legge). Hopes such secret and dark attempts will meet their due recompense.
Col. Cor. N. S. vol. 10. p. 97

Enclosed. Memorials from Cumberland, Onslow and Truro. (Duplicates.)

nuary 12,
lifax.

Legge to Secretary of State (Dartmouth). Is informed of sailing of ships of war, leaving only one frigate for defence; the preservation of the navy yard and the navigation of the port require a sufficient force. Cruising vessels have been fitted out by the rebels to intercept ships with provisions for the army and navy, and when they learn of the absence of ships of war they will attack the province, the intention being to cut off all supplies from the King's forces, that being the object of investing Canada and attacking Nova Scotia. Col. Cor. N. S. vol. 10. p. 112

nuary 14,
kville.

Charles Dixon to Butler. Reports the state of feeling in Cumberland. The danger of entrusting the inhabitants with arms, &c. 156
(Enclosed in Legge's letter of 15th February).

nuary 16,
ndon.

Memorial of James Burrow for an order to the agent to pay bill drawn in his favour for his expenses on the public service. R. 26 B.T., N S. vol. 27

nuary 21,
lifax.

Legge to Dartmouth (private). Complains of the conduct of certain officers of Government in relation to raising the militia and the false reports spread, which prevented the regiment from being embodied. The arrival of troops has removed the necessity for calling out the militia, but the proceedings of the men who prevented that force from being called out at so critical a time appear to him in almost detestable light; the personal animosities against him, &c. 114

Enclosed. Circular to officers of militia contradicting false reports. 118

nuary 24,
itehall.

Secretary of State (Germain) to Legge. The Acts for securing the payment of debts due to the province and for the relief of Jonathan Binney being of great importance for the restoration of peace and harmony in the province, an Order in Council has been passed directing that they be assented to. 1
The order of 3rd January is at its date.
(Copies of the letter and order are in Col. Off. N.S. vol. 1, pp. 224 and 225).

nuary 27,
mberland.

John Eagleson to Butler. The proceedings of the inhabitants at Cumberland; their treasonable resolutions and threats to the loyal inhabitants. Col. Cor. N. S. vol. 10, p. 154
(Enclosed in Legge's letter of 15th February).

bruary 7,
lifax.

"State of His Excellency Governor Legge's conduct and proceedings with respect to Lieutenant Constable of His Majesty's Royal Fensible (*sic*) American Regiment of Foot." The offer of a company in Legge's regiment withdrawn, in consequence of charges against Constable; the document contains an examination, correspondence, &c., on the subject. Dartmouth papers.

1776.
February 13, Halifax. Legge to Secretary of State (Dartmouth). Charges of disloyalty made against Butler, a member of Council, disproved. Col. Cor. N. S. vol. 10 p. 12

Enclosed. The proceedings of Council on the examination of the charges against Butler, of which he was acquitted. 13

Additional evidence called by Butler to prove his innocence. 13

February 14, Halifax. Gorham to Secretary of State (Dartmouth). Points out the prejudicial effect on the province of Francklin being Lieutenant Governor and urges his own claim to succeed Legge. 16

February 15, Halifax. Legge to the same. Has already sent memorial from Cumberland, showing how little dependence could be placed on the inhabitants; they are holding treasonable meetings and have invited an American army to invade the Province. Has laid the matter before the Council, which has agreed that the fort at Cumberland should be garrisoned with 300 men; Massey has been applied to for the troops. Should Quebec have been taken, the enemy will have obtained one frigate, one sloop of war and the "Gaspé" brig: Has written to the Admiral to take measures to meet this contingency. No word has been received from Boston for six weeks, probably from the harbour being blocked with ice. Suggests that the transports with troops for Boston should call at Halifax in passing, as that might save the Province which, from every intelligence, was to be attacked early in spring. 15

Enclosed. Letters from John Eagleson, Cumberland, 27th January, and Charles Dixon, Sackville, 14th January, both to Butler; see at their respective dates.

Resolution of Council, 15th February, that 300 men should be sent to Fort Cumberland, to protect the district. 15

February 24, Whitehall. Secretary of State (Germain) to Legge. Dispatches received and laid before the King. His proposal to have draughts sent to complete the 1,000 provincial troops he expected to raise is inconsistent with the idea on which the measure was adopted. Proposal for Captain Stanton [that he should be major in the provincial corps, see 26th December, 1775], is disapproved of; he is to return to his regiment. From representations on the State of public affairs he (Legge) is to return to England to give such information as shall enable to His Majesty to judge of the proper measures for the peace and safety of so important a colony; the government, in his absence, to devolve on Arbuthnot, the commission to Franklin [Francklin] being revoked. 12

(Copy in Col. Off. N. S., vol. 1, p. 228).

February 24, Whitehall. Secretary of State (Germain) to Arbuthnot, sends his commission as Lieut. Governor; the importance of the trust. The proposed Provincial corps to be limited to 500; this corps with the marines, sent from Boston, in room of the 27th, should secure the Province, especially as the rebels have met with a check at Quebec. Leave given to the inhabitants of Halifax to dig coal at Cape Breton, under restrictions to prevent abuse. As suggested by Legge, orders shall be given to send specie for the allowance to officers of government. Col. Cor. N. S. vol. 10, p. 12

(A copy in Col. Off. N. S. vol. 1, p. 231).

February 27, Planta Office. Cumberland to Legge. Had tendered Meyrick, his (Legge's) agent, his salary, but as Legge is expected shortly to return, Meyrick thinks it better the money should be retained till his arrival. Dartmouth papers.

February 27, Whitehall. Lords of Trade to the same. Transmit copies of complaints against him, which he is to answer; the complainants are to have access to the necessary papers; the complaints, evidence, &c., are to be exchanged by the parties, and copies sent to their Lordships. B. T. N. S. vol. 35, p. 461.

1776.

(See also Dartmouth papers, among which is a letter from Cumberland to Dartmouth, forwarding the letter of the Lords of Trade. For charges dated 1st and 2nd January, see these dates).

ebruary 27, Whitehall. Knox to Legge. An immediate inquiry to be made into the occasion of the uneasiness and discontent said to prevail in Nova Scotia. Letters from Germain and Lords of Trade will show what is expected of him. It will be a satisfaction to him to find that the government in his absence will not be in the hands of a person whom be considers as an adversary and connected with those who wish to render his government uneasy. Thanks for his attention to Ellis.

ebruary 27, delphi. Burrow to Secretary of State (Dartmouth). His brother being willing to resign in his favour his office of Collector of Customs, asks His Lordship's influence to obtain Lord North's consent to the transfer.

(The letter is dated 28th Tuesday noon, but is referred to in letter to Legge, dated 28th February, which was a Wednesday).

ebruary 28, ondon. Burrow to Legge. Soon after his (Legge's) dispatches were received, Binney and Tonge arrived with a whole cargo of complaints, memorials, &c., which they left no engine unmoved to give effect to. His exertions to counteract them; had presented to the Lords of Trade his (Legge's) letters and that of Morris; with these and the assistance of Dartmouth a conviction was forced [on the Lords of Trade] which he was afraid had not at first been intended. States the plan of Legge's recall to lay the state of the Colony before the King, a course not unusual, and by such order the full pay continues, which is not the case on leave of absence being granted. On his (Legge's) arrival, the Lords of Trade are to examine into all the complaints; what documents he should have prepared to explain the position of affairs. Care has been taken that the proceedings are to carry no stain on him (Legge). The dismissal of the head of the party has disconcerted his (Legge's) opponents, Arbuthnot is to be Lieut. Governor; has no doubt that he (Legge), if he chooses, will be back in October with a reputation that will attend him through life. The complaints have been managed with great art and every one who could be prevailed on has been induced to write something disagreeable, occasioning a prejudice not easy to break through, which was shared by Germain, who succeeded Dartmouth. A change has taken place in Germain's opinion, but should any mishap befall the Province, his position would be difficult were no notice taken of the complaints. He (Burrow) has no doubt matters will be cleared up and the character of the complainants exposed, when the Province will flourish, for at present it is neither worth governing nor living in. Should it he his (Legge's) own choice not to return after his character is cleared, he will receive marks of His Majesty's approbation in the military line. Cumberland professes great friendship and would not deliver the petition sent by the five Councillors; Monk cannot be too severe on Belcher. Binney and Tonge cut ridiculous figures at the Board and will receive no countenance from the Secretary of State, or the first Lord of the Treasury and the "valiant Col." [Tonge] is now flying to the Board of Ordnance to be appointed an engineer and to fortify Cumberland; had dedicated time to prevent this. What papers should be brought over. Monk to be cautioned not to write so much; Richard Cumberland hinted that he was not his (Legge's) friend. His own private arrangements and his desire that his wife, now in Nova Scotia, should join him in London.

A table of fees (undated) established to be taken by the Governor is enclosed.

bruary —, ndon. Burrow to Dartmouth. Has learned that Tonge is taken by the hand by the Board of Ordnance and is to be sent as engineer to Cumberland county, where Francklin has influence and which was the first place to

1776.

oppose the Militia Act. Tonge's bad characte establish the charges against Legge before the

Burrow to Dartmouth. He has been tracing mous letter and believes it was written by Bu printer by a man in disguise. He (Burrow) and Monday respecting the offer of the latter to re favour.

March 2, London.

(Dated only "Saturday"; for conjectural da row of 27th February).

Burrow to Dartmouth. Has been informe recalled to answer the complaints against him. Tonge, who are applying for reward, will not be

March 4, London.

Chipman to Henry Denny Denson. Enclose Ferrel and Lieuts. Green and Pineo, respecting Willoughly to stop recruiting for Legge's regim

March 7, Cornwallis.

(The affidavits, of same date, are with the not

Report by the Governor to the Council, that t informed him that 300 men in the township Falmouth, Horton and Cornwallis and 200 in Co were ready to enrol themselves for the defence for advice. The Council was of opinion he shou ment.

March 8, Halifax.

Burrow to Legge. Had written him on the 2 to is dated 28th February). Refers to his public Dartmouth is determined that the matter shou bottom; Germain's opinions of the people are now held. Anonymous letter received full of invectiv distiller; believes he has destroyed any effect it hopes of success in the proposal to succeed his arrival of Mrs. Burrow. P. S. 9th March. The and weakness of the opposition; 22,000 fore America with a fleet of 70 sail under Howe; see an end of the contest. Report that Carl Burgoyne is to take his place; other militar

March 8, London.

(Documents from 27th February onward papers).

Legge to Secretary of State (Dartmout province would probably be attempted ea every exertion to recruit for the corps he 100 Acadians have enlisted and there are a about 400 men raised. Encloses proposal o 500 of the militia in Cumberland; this people from joining the rebels. Steps families from leaving New England for ruined. Is advised by Howe that 200 fa many of them necessitous, which will be to be had; hopes, therefore, that pro Recapitulates information respecting berland; Massey has at last consent for the defence of the place.

March 18, Halifax.

Enclosed. Proceedings of Council men for the defence of the Province.

Francklin to Legge, 3rd March, re corps.

Form of engagement on enlistmen

Proceedings of the Council, appro towards raising a corps, 16th Mar

1776.
ch 20, Opinion of Counsel (Jackson). There are no material objections to
don. laws passed in November, 1775. R. 32, B. T. N. S. vol. 27

ch 21, Opinion of Counsel (Jackson) with remarks on draughts of bills sub-
don. mitted, in which irregularities and obscurities are pointed out. R. 31

This is followed by the bills for emitting bills of credit for £20,000; for examining the public accounts; for regulating elections to the Assembly and for levying a tax on real and personal estate. Remarks on these, in addition to the remarks in the opinion, are an appendix to the opinion and are also marked R. 31.

l 10, Legge to Secretary of State (Germain). Has been informed of His
fax. Lordship's appointment. Arrival of 50 transports with inhabitants of Boston, who have remained faithful to their allegiance; shall carry out instructions with regard to subsistence of the necessitous. Arrival of transports with troops from Boston, which they had evacuated on the 17th March, the provision vessels having been driven to the West Indies by the severity of the weather. Methods taken to secure the provisions in the province and to prevent extortion. Hopes that the steps towards reconciliation may be successful. His attempts to raise men have been impeded by the liberty to recruit granted to other regiments.
Col. Cor. N. S. vol. 10. p. 184

l 11, Proceedings of a court of inquiry held in the Royal Regiment Nova
fax. Scotia Volunteers. A dispute between two of the officers at roll call
Dartmouth papers.

l 16, Legge to Secretary of State (Germain). Death of Chief Justice Bel-
fax. cher; Morris appointed in the meantime; importance of a good selection.
Col. Cor. N. S. vol. 10. p. 187

l 26, Arbuthnot to the same. Has received his commission to be Lieut.
fax. Governor of Nova Scotia. Shall inform the inhabitants of Halifax that liberty has been given them to dig coal on Cape Breton. Legge's promised regiment consists as yet of only 60 men; shall do his best to complete it, but is doubtful of success. Cannot speak positively of the force necessary to defend the Province. At Halifax less than 2,000 would not suffice, as troops must be sent to Fort Cumberland, Annapolis and a few to Windsor. About 500 men on the frontiers he believes would be sufficient. 189

l 30, Same to the same. Thanks for his appointment. 193
fax.

1, Same to Pownall. Has informed Francklin that he (Arbuthnot) had
fax. been appointed Lieut. Governor. Transmits answer from Francklin in justification of that gentleman. 195

Enclosed. Francklin to Arbuthnot, dated Windsor, 25th April, congratulating him on his appointment and pledging himself to contribute every effort for the honour and happiness of his administration. 197

4, Francklin to Pownall. Thanks for the kind letter, which was balm
fax. to the wound caused by disappointment after so many years faithful service. The unsuitableness of Legge for the position of Governor from his capacity, temper and disposition. It was, however, only at the commands of the Lords of Trade he had answered nine interrogatories on oath as tenderly as possible, as he did not wish to add any weight to that with which Legge was already loaded. The importance of the security of Nova Scotia. The appointment of Arbuthnot, since he (Francklin) was to be suspended, was advisable from his influence, authority and abilities; he shall give him and General Massey every support. His success in raising volunteer militia; thanks Germain for his kind intentions to indemnify him; leaves the amount to be asked for in his (Pownall's) hands. Hopes the minister will not think it unreasonable if he ask £500 as a permanent salary; £300 as Lieut. Governor and £200 as superintendent of Indian affairs, with his principal residence in

1776.

Cumberland, pay as a colonel of the volunteer regiment of militia to be given him until his reinstatement as Lieut. Governor, when the £300 attached to that office shall take effect. His great influence in the county of Cumberland and with the Indians, who have been too much neglected during Legge's administration, otherwise they might have been very useful now. Col. Cor. N. S. vol. 10, p. 199

May 6, Halifax. "Distribution of subsistence to the Commission and staff officers of His Majesty's Loyal Regiment of Nova Scotia Volunteers." The names and allowances of the officers are given in detail with the amount of bills drawn.

Distribution of 61 days of subsistence to the same.

There are two accounts, one to 24th April, the other to 24th June, both dated 6th May.

Contingent expenses for the same. Dartmouth papers.

May 10, Halifax. Arbuthnot to Secretary of State (Germain). Sends duplicate of letter of 30th April. Col. Cor. N. S. vol. 10. p. 216

(A duplicate, with a few words of introduction; the original is at its date).

May 10, Halifax. Legge to Lords of Trade. Sends authenticated copies of deposition, &c. R. 34. B. T. N. S. vol. 27

May 12, Halifax. Arbuthnot to the same. For a copy of commission, Legge not having left one. R. 31

May 24, Halifax. Same to Secretary of State (Germain). The difficulties connected with the raising of men, now that the corps is restricted to 500; waits instructions; sends state of regiment. Col. Cor. N. S. vol. 10. p. 208

Enclosed. Return of provincial regiment of volunteers, 13th May. 211

Abstract of account current for the year. 212

May 24, Whitehall. Knox to Governor of Nova Scotia, Estimate for 1776 transmitted. Col. Off. N. S. vol. 1. p. 235

Estimate. B. T. N. S. vol. 38, p. 459

June 1, Halifax. Binney to Legge. His grateful sense of favours received. Gossip respecting officers, &c. Mentions that Queen Anne had attended every day at the trial of Dr. Sacheverell. (Evidently intended to meet the charge against Legge of attending during a trial and thus influencing the decision of the Court). Dartmouth papers.

June 3, Whitehall. Lords of Trade to Legge. Send observations on four bills. (1) For emitting £20,000 in bills of credit. (2) For taking, examining and stating the public accounts. (3) For regulating the election of members. On these certain alterations must be made. To (4) for a tax on real and personal estate to pay debts of Government, there are no objections. B. T. N. S. vol. 38, p. 466

June 5, Halifax. Arbuthnot to Secretary of State (Germain). Congratulations on the dispersal of the rebels from before Quebec, which leaves Nova Scotia in security. Col. Cor. N. S. vol. 10, p. 213

June 6, Halifax. Same to the same. Howe has taken the volunteer regiment out of his hands and will, no doubt, in future present the particulars of the corps to His Lordship. 215

June 11, Plantation Office. Cumberland to Knox. The difficulty in obtaining proper vouchers were specie sent for the salaries of the civil officers in Nova Scotia. 204

June 11, Whitehall. Knox to Arbuthnot. Sends report from Cumberland on the difficulties that would arise from sending specie for the pay of the civil officers in Halifax. They are, in accordance with the terms of the report, to draw as before, as no specie is to be sent. 206

(A copy is in Col. Off. N. S. vol. 1 p. 235).

1776.
ne 14, Officers of volunteers to Secretary of State (Germain). Send petition
lifax. respecting the difficulties and discouragements under which they labour as officers of the regiment, asking that it be laid before the King.
Col. Cor. N. S. vol. 10, p. 271
Enclosed. The petition. 272
ne 18, Address of the Assembly. Lament the extent and progress of the
lifax. unjustifiable resistance of the American Colonies and declare that the people of Nova Scotia are ready with their lives and fortunes to stand forth in support of His Majesty and family and to maintain the constitutional powers of the Government. R. 36, B. T. N. S. vol. 27
ne 20, Arbuthnot to Secretary of State (Germain). The Assembly has passed
lifax. an Act imposing a duty of 8 per cent *ad valorem* on all commodities not being the produce of the British dominions, Bay salt excepted.
Col. Cor. N. S. vol. 10, p. 227
Enclosed. The Act. 228
(The Act is in printed collection).
ne 22, Lords of Trade to Arbuthnot. Have sent copy of Legge's commission
hitehall. as requested. B. T. N. S. vol. 38, p. 474
ne 27, Massey to Secretary of State (Germain). Sailing of Howe with his
lifax. army; wives and children of soldiers sent with the invalids, also some Yorkshire families, whose want of success may have the proper effect of discouraging others from leaving Britain. Will relieve, as cheaply as possible, the distresses of the vast number of women and children left behind by the army. Vessels obliged to leave Nantucket harbour, the rebels having erected batteries on the high ground. Everything conducted harmoniously with Arbuthnot. Sends list of refugees from Boston. Col. Cor. N. S. vol. 10, p. 233
Enclosed. List of emigrants from Yorkshire returned in the transport ship "Minerva." 236
Return of refugees from Boston to be sent to England. 237
date. Arbuthnot to Secretary of State (Germain). Sends loyal addresses; hopes to dismiss the Assembly in ten days, when he will visit the various ports of the Province. 225
(A note says that these addresses were not received.)
Endorsed "Copy of a paper presented to the Lords Commissioners for Trade and Plantations by Jonathan Binney, Esq." Charges against Legge; these and statements in support of them are in parallel columns.
"The Reply of Francis Legge, Esquire, Governor of the Province of "Nova Scotia, to the Petitions presented to His Majesty against him."
(Part of the proceedings before the Lords of Trade. There are two copies of the "Reply" both undated.)
"The case of the Defaulters of Government in the Province of Nova "Scotia and particularly Jonathan Binney, Esquire, fairly stated and "candidly examin'd, being Governor Legge's Defence of his Conduct "from the Imputations and charges brought against him in these "respects."
(The three preceding documents are among the Dartmouth papers.)
ly 5, Massey to Secretary of State (Germain). The good news from
lifax. Quebec; the Hessians are preparing to sail with the first fair wind. Report sent by Gorham, commanding 200 men at Fort Cumberland, that St. John River Indians with 1,700 rebels, are within three days march of his post; doubts the truth of the report, but has sent a reinforcement to Windsor to be ready to embark, should it prove true. Shall embark the Light Dragoons on Monday the 8th. Shall forward everything in his power; the Hessians in want of money and beef; sent Major General Stern a quarter [of beef] which was received with gratitude. The eagerness of the troops to be of service.
Col. Cor. N. S. vol. 10, p. 256

1776.

Enclosed. Copy of letter from Cramahé, Quebec, reporting the defeat of the rebels, the movements of the naval force &c.

July 8, Halifax. Col. Cor. N. S. vol. 10, p. 259

Arbuthnot to Secretary of State (Germain). Has reported to the Lords of Trade the proceedings of the general Assembly, which finished on 29th June, having shown the most perfect disposition to conform to the law and unfeigned duty to His Majesty. Had found the inhabitants loyal, particularly the inhabitants of King's County, Windsor and its environs, although four disaffected persons had left Cumberland and had delivered to the Continental Congress the names of 600 persons who, they reported, were ready to join the rebels; these men have returned with orders to try to corrupt the Indians and he has offered a reward of twenty guineas each for their apprehension. The Indians have gone no further than to display insolence, to interrupt the trade on the St. John and to steal a few cattle. The good services of Massey. The Light Cavalry are now enbarking. Proposes to go to Windsor to thank the people for their readiness to enroll for defence, and afterwards go to Cornwallis; two companies are to be sent to Cobequid, as if to acquaint themselves with the passes; he would drop in there to ascertain the state of the township, of which he has heard various reports. After Carleton's success, he is in no fear of either rebels or Indians. Movements of fleet and transports with troops. 263

July 9, Halifax. Same to the same. Prorogation of the General Assembly on 29th June. Sends list of laws passed. 267

July 19, Watertown. *Enclosed.* List of laws. 268

July 20, Whitehall. Copy of the treaty between Massachusetts and the Indians, enclosed in letter from Hughes to Germain of 16th January, 1779, which see.

Secretary of State (Germain) to Arbuthnot. His sense of the importance of the office is approved of by the King, who has confidence that he will succeed in uniting all the inhabitants in the defence of the Province. Shall use every precaution in the appointment of a successor to the late Chief Justice. The disposition of the recruits made by Howe renders it unnecessary to give instructions respecting them, except to see that Howe's directions are carried out. Precautions to be taken to prevent contraband trade with New England; a vessel belonging to Malachy Salters in the river (Thames) loading for Halifax; that and other vessels to be watched. The case of Legge has been before the Lords of Trade, but no report has yet been made.

Col. Cor. N. S. vol. 10, p. 219

July 24, London. (A copy is in Col. Off. N. S. vol. 1, p. 236).

Legge to Secretary of State (Germain), with papers relating to the complaints against him, now under consideration by the Lords of Trade.

July 25, Whitehall. Col. Cor. N. S. vol. 10, p. 231

Lords of Trade to the King. Report on the charges against Legge, reduced to four heads. The conclusion is, that he was wanting in the gracious and conciliatory deportment which the circumstances of the times demanded, for want of which his upright intentions became fruitless, and although the complaints will be found to furnish no such serious matter as to cause the withdrawal of the royal favour, yet they cannot think that it would be for His Majesty's service to allow Legge (for the present at least) to return to Nova Scotia. 239

Enclosed. Address from the Council of Nova Scotia on their own behalf and that of the Assembly, thanking His Majesty for having withdrawn Legge from the government of the province. 253

No date. (Copies of the report are in B. T. N. S. vol. 38, p. 475, and in the Dartmouth papers).

Memorial of Legge to the Treasury for repayment of his expenditure as Governor, for expenses of his coming to London, in obedience to

1776.

orders, and the cost of his living there, and praying that an order be obtained for the payment of £1,550 for his reimbursement.
Dartmouth papers.

gust 15, lifax. Arbuthnot to Secretary of State (Germain). Gives an account of his progress through the Province and its good effects. Had found that some of the settlements had never been visited by a Governor, or Government official, with mischievous results. The proper method of raising men for defence; the inefficiency of the Loyal Nova Scotia Regiment, both in officers and men, the number raised not being worth the cost of raising them. Col. Cor. N. S. vol. 10, p. 279

gust 19, lifax. Same to the same. Sends journals, minutes and laws. 294

gust 20, lifax. Massey to the same. Reports received from Gorham at Fort Cumberland; sends letter from Baker. If he thought its statements true, he would look on it as very alarming, but cannot believe the rebels would attempt to invade the Province, whilst Howe is in motion with so large an army. The exactness of the intelligence brought by Mrs. Livius on her way to Quebec. Arbuthnot has offered, if a detachment of two companies were given him, to place himself at the head of the militia to protect the Province. Suspects the plan of the rebels is to kill and carry off the cattle, so he has sent word to all the outposts to be on their guard. 295

Enclosed. Baker to Capt. Barron. The New England troops have finished the road from St. John River to Chipotee (Shepody), where 800 Indians are waiting to join them, to demolish Fort Cumberland and proceed to Halifax, to reduce the King's yard, &c. 297

gust 28, itehall. Knox to Arbuthnot. Germain having only heard of the opportunity has not time to write, but directs him to say that the dispatches received have been laid before the King. Monk, late Solicitor general of Nova Scotia, has been appointed Attorney General of Quebec; Gibbons has been recommended by Legge to succeed Monk, but the appointment has been delayed until his (Arbuthnot's) opinion is received. 277

(A copy is in Col. Off. N. S. vol. 1, p. 239).

ptember 5, lifax. Massey to Secretary of State (Germain). The report of the approach of the rebels to Fort Cumberland turns out to be a false alarm. Nothing could be done to fortify Fort Sackville, except at a vast expense; had recalled the officer's guard and left a sergeant and 12 men. Report of the works carrying on is enclosed. Col. Cor. N. S. vol. 10, p. 298

Enclosed. Report of the works constructing for the protection of the naval yard and town. 299

ptember 5, lisbury reet. Burrow to Dartmouth. Owing to the "abdication" of officers of the Customs in Nova Scotia, begs that he may be recommended for employment there, should his brother's proposal to resign in his favour not be thought proper. Monk appointed Attorney General in Quebec to make room, he thinks for Brenton to succeed to that office in Nova Scotia.
Dartmouth papers.

tober 1, ndon. Legge to Secretary of State (Germain). Criticises the report on the charges against him, which he regards as conveying a slur on his character. The paper is long and takes up the character of the witnesses the nature of the evidence and the conclusions of the report.
Col. Cor. N. S. vol. 10, p. 283

tober 3, lifax. Arbuthnot to Lords of Trade. Has received observations on four bills and copy of commission. R. 37, B. T. N. S. vol. 27

Three bills, which follow, marked R. 39*a*, 39*b* and 39*c* are duplicates of those in R. 31, 21st March, 1776.

tober 3, lifax. Arbuthnot to Secretary of State (Germain). Shall do his best to prevent intercourse between the rebellious Colonies and persons in the province. No vessel has lately arrived from London with merchandise;

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all trading vessels shall be narrowly watched. Has received estimate and distribution of grant for the civil establishment, which shall be drawn for on the agent as formerly. Col. Cor. N. S. vol. 10, p. 302

October 6, Halifax. Massey to Secretary of State (Germain). The coast is infested with privateers or other pirates; has sent, as requested by Arbuthnot, a detachment to protect the Eastern coast, although without orders from Howe. Believes he is sufficiently prepared to resist an attack with the troops left. Has warned those inclined to assist the rebels that he will not dally with them as was done at Boston and other places, but crush rebellion in the bud; has thus preserved tranquillity. The refugees from Boston are leaving, frightened at the cold and the high price of provisions; pities the poor subalterns on the latter account, as beef is a shilling a pound and other articles in proportion. All the women and children of the army are still in Halifax and almost naked. The soldiers of the Grand Army are happy that their children are at school; Arbuthnot is giving the women work at the dock yard, picking oakum. 306

October 8, Halifax. Arbuthnot to the same. The success over the rebels on the 27th of August has enabled Howe to send ships of war to prevent the attack on the coast by rebel pirates. Has obtained from Massey a detachment for Barrington and Liverpool, with arms for the well affected. Apologises for the haste in which the letter is written. 305

October 18, Whitehall. Secretary of State (Germain) to Massey. Was alarmed at the report of an intended attack on Halifax, which recent reports from Gorham entirely contradict. 302

October 30, Halifax. John Macdonald, captain in the Royal Highland Emigrants, to Secretary of State (Germain) sends "paper containing remarks on this "great Continent, the relation in which it stands to Great Britain, its "Propensity to Independency, and the pressing necessity there is for "pursuing henceforth the most vigorous measures to counteract the "same; with three plans, each of a different nature, for the future Gov-"ernment of America." The paper is long (44 pages); a summary is given in the covering letter. Col. Cor. N. S. vol. 11 p. 67

November 20, Halifax. Arbuthnot to Secretary of State (Germain). Reports the success of Howe at Kingsbridge. Col. Cor. N. S. vol. 10, p. 320

November 20, Halifax. Same to the same. Reports the attempt by three soldiers to steal poultry; one of them shot the farmer. Their trial; the murderer executed. 340

November 21, Halifax. Sir George Collier to the same. Reports the operations for the defence of Nova Scotia, the management of which had been transferred to him by Arbuthnot, under the direction of Howe. Frigate sent to protect the fishery at Canso, which had been harassed by paltry privateers; the rest of the fleet disposed of to the best advantage (with the approbation of the Lieut. Governor). Man of war sent to the Kennebec, Penobscot and Passamaquoddy; copy of orders enclosed. The "Vulture" sent in consequence of the communication between Windsor and Fort Cumberland being cut off and the ferry boat seized; orders enclosed. The "Hope" sent with directions to the "Albany" and "Diligent" to proceed to Fort Cumberland and throw in as many men as could be spared. Sent order to Massey to authorize the men of war to transport troops on the Bay of Fundy, and another to supply Fort Edward [at Windsor] and Fort Cumberland with provisions. Sent a cartel to Marble Head with 180 rebel prisoners to be exchanged for the same number of faithful subjects held in captivity. Though the small number of hastily armed banditti about Cumberland are not of any consequence, is sorry to find that a party of Indians is with them, which might have been prevented had the smallest attention been paid to the chiefs. Congratulations on success in Canada and Quebec, owing to His lordship's wisdom, steadiness and courage. 322

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Enclosed. Orders to the captain of the "Vulture" for the Kennebec, Penobscot and Passamaquoddy. Col. Cor. N. S. vol. 10, p. 336

Orders to same ship to proceed to the Bay of Fundy, thence to the Bason of Minas and Windsor, in pursuit of a pirate sloop of 8 guns and 100 men, which has done mischief in the Bason of Minas. 338

Order to the "Hope" to search for the "Albany" and "Diligent" to send them for the relief of Fort Cumberland. 340

Orders to the captains and commanders of His Majesty's ships and vessels in the Bay of Fundy, to co-operate with the commanding officer of His Majesty's troops at Windsor and to assist in transporting troops, &c. 342

mber 21, ax. Arbuthnot to Secretary of State (Germain). Sends duplicates. 345

mber 21, ax. Same to Knox. Letter of 28th August received; has written to Germain respecting Gibbons. 346

mber 22, ax. Massey to Secretary of State (Germain). Arrival of an express escaped from Fort Cumberland, with a journal from Gorham. Has requested the Governor to offer a reward for the apprehension of Eddy, Allen, Rogers and Howe, the ring leaders. Gives in detail the steps he took for the relief of Fort Cumberland; his distress on his return from Windsor to find only 180, instead of 420 men, the number he expected when he left Halifax. The rebellious spirit in the Province will continue, so long as Presbytery is not driven out. Sends this by Mick, who defended the "Newcastle Jane" against the attack of a pirate. 310

Enclosed. Journal of Gorham. 312

The journal is addressed to General Massey, and is printed exactly as written.

4th November, 1776

"Sir, His Majesty's ship Juno appeared off the mouth of the Harbour "the 29th of October, and anchored; the Sloop which she convoyed with "Provisions came up to the Fort, & began unloading as soon as possible, "and the Juno sailed soon after. As I found that the party stationed at "Chepodie, tho' small, of the greatest Service at this juncture, in putting "an entire stop to Desertion, and preventing any intercourse with this "Country thro' their Rivers by the Machias people, I sent a Boat yester-"day with Provisions for a Serjeant & six men, about twenty days longer, "to bring off the remainder of the party, proposing that the Serjeant & "six to continue till the frost set in, then our Boat would be able to "bring them all off. But the Corporal & boat's crew returned immediately "with the following Report, that they landed at Mr. Pecks, at Chepodie "point, whose Wife & Family informed him, that a party of Machias "people & others from the Westward with a number of Indians, in all "150 or 200, came there on Tuesday the 29th, some in Boats, & others by "land, prest her Husband, went over the River, & took Capt. Walker & "the party, consisting of one Serjeant one Corporal & ten privates of my "Regiment, proceeded with her Husband in Boats up the River Petti-"cotiack, & Memramcook, designed for River Cocken [Cocaigne] to "collect Indians; And some others were sent to take possession of the "Pass to Partridge Island, & that Rogers, Eddy, & Howe had the "direction & command of the party, a Mr. Shelton & Farrell being with "the Command in the Boat corroborate the above account, & say, that by "the tracks of the Feet in the Mud, they think there must be near two "hundred men, & that great part of them came by Land, or (as?) they "could not learn that they had more than three large Sail Boats.

"Tuesday the 5th, in the morning, sent off Dobson a soldier in disguise, "to reconnoitre at Memramcook, & James Darthwait an Inhabitant to "Major Barron's at River Hebear, for the same purpose, & made prepara-"tions to send off an Express to Windsor.

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"Wednesday the 6th, a small trading Schooner arrived from Am
"Royal, and anchored at Au Lac, the Master after making his
"went on board to bring her into the Creek at Cumberland, wh
"provision Sloop had for some time been unloading for the Garri
"the evening of this day, Johnson a soldier gave me an account
"being offered a bribe of three half Joes, by a man of Westwick
"saw once when he was at Machias, to tell when he & one more
"should be Centry near each other, & let a party of 500 men
"Garrison, that they lay near Westcock, about five or six miles f
"Garrison, & intended to attack the Garrison that Evening by Su
"ordered an Officers Picquett in the Spur, & a number of non-C
"sioned & privates to lodge in the new Rooms of the Fort, or Guar
"and the whole Garrison to lay on their arms, this Report b
"noticed or believed by the Gentlemen of the Garrison. Captain
"prest for the Command boat to go up the River, being anxiou
"Father's safety, but I declined sending, with my letters, 'till
"reconnoitring men, Dobson & Darthwait, had returned and th
"rather alarmed us.

"Thursday the 7th. Captain Baron prevailed on me to let the C
"Boat go off at day light this Morning with my letters for the
"intrusting the Packett with a Corpl. of the Regiment, well ac
"with the roads to Halifax. About 7 o'clock in the morning the
"and Haize cleared away, I discovered several boats full of me
"along shore from Westcock, & the Merchant Schooner under
"a head of them. Ordered to beat to arms; detached Capt. Gra
"men to cover the Provision Sloop, which lay at the mouth of the
"land Creek, hauled one of the cannon on the Parapet, there
"embrasure cut; fired about twenty Shot, which fell rather sho
"Enemy's boats and the Schooner, which they had now possession
"Grant returned, and confirmed our Suspicion that they had a
"the Provision Sloop, which they soon got under sail and
"reach of his Musquetry—this provision Sloop had a
"and twelve men on board at night, as Guard, and had orders occ
"to help to unload, when the Tide at these times served.—Capt. B
"acting Engineer, the Rev. Mr. Eggleston, with a corporal and si
"the Command Boat, also some of the Working party, which ha
"board this morning, were taken, as the sloop was undoubtedly
"prise and got possession of by the enemy during the night
"Ordered a nine pounder drawn down to the dyke to fire on the
"& the Boats, the enemy then stood for the River Leplanch
"in that Creek—brought the gun up again to the Fort. There be
"or no Water in the front Well, got 13 hoghds filled for extra
"purchased a number of Cattle to serve the Garrison, there being
"got from the Sloop, and only 4 months flour and pease; the rebel
"everything else sent in the Sloop—but few Friends of Governm
"Militia came in, one of the Regiment deserted to them last even
"by the intelligence from some of the Inhabitants, who have be
"them they say most of the Inhabitants of Westcock, Amherst,
"Cœur, &c. have joined the Rebels, who are between 4 or 5 hundr
"hundred took the provision Sloop—that they expect a number m
"St. Johns and Machias &c., with Frigates and Cannon. Sent
"Sharman, a Mr. Shelton, & Farrel from Halifax and Cornwa
"birch cannoe for Windsor, but it turning out leaky they came

"Friday the 8th Repaired and strengthened the ramparts, two
"sent on a particular Errand, & discovery, was taken by the I
"one private by accident fell down from the Ramparts, & kil
"Engineer's Boat which had orders to prepair could not get off t

"ing. An Alarm at night, the whole Garrison turned out at their Alarm "post early, and with spirit.

"Saturday the 9th. Capt. Baron, the acting Engineer, sent in a let- "ter informing, that they were used with humanity and gentility—pre- "pared the Engineers Boat to go off this Evening, but hearing a number "of the enemy approached the Garrison, fired several cannon with grape "shot, which dispersed and silenced them; they set fire during this night "to Mr. Harpur's Barn, which consumed it entirely.

"Sunday the 10th. Two of the inhabitants living just under the Gar- "rison, came early this morning to inform me of there being between "six and seven hundred men in Arms at their House, most of all night, "waiting for a favorable opportunity to attack, that they approached in "small partys, near the Fort, during the night, but found our Centrys so "alert, & firing on them, they retired.

"Said they intended to send a summons this day to the Commanding "Officer to surrender the Garrison, that among these people, there "appeared all the French Acadians of the country, and inhabitants of "Amherst, Westcock, Joly Cœur, &c.

"One Clough a trading vessel from Halifax, lying in Bay Vert, was "taken by the Bloody Bridge French Acadians."

26, Denson to Secretary of State (Germain). Complains of the difficulties thrown in the way of raising Legge's regiment, the want of subsistence, &c. Had these difficulties not been interposed, he could already have had 600 men prepared to prove their loyalty.

Col. Cor. N. S. vol. 11, p. 16

—, Arbuthnot to the same. Had flattered himself on his progress through the country, that the Province would be free from attack. The four fellows mentioned in letter of 8th July had returned from New England to St. John River, where they were joined by the inhabitants, a few Indians and people from Machias, to the number of about 500, and invested Fort Cumberland, commanded by Gorham, with 260 fencibles, out of whom the rebels captured about 40 men at outposts. Sends copy of his letter to Howe and of Francklin's to him (Arbuthnot), which will give full information. Massey has sent off reinforcements, which, with the men already there and the naval force, should be sufficient to drive these banditti to their holes. There are in the harbour one 40 gun ship and three frigates; has asked that the marines be landed, which with recruits arrived will be a sufficient force to defend Halifax. Has ordered patrols, in addition to the military, to guard the city by night, so that no pains are spared for defence. Arrival of McLean, unable to get to Quebec. Is unable to give any opinion of the qualifications of Gibbons to succeed Monk, but recommends James Brenton to succeed Nesbitt as Attorney General, as from the state of his (Nesbitt's) health he is not likely to survive the winter; Brenton's services. The variety of employment of the navy has prevented its rendering the protection Howe would otherwise have given; the coast is infested with small piratical vessels, which have entered the defenceless harbours and done mischief to the fishery and shipping. Has purchased an armed vessel to protect the coast, for the price of which he will draw on the Treasury. An express reports the loyalty of the people about Windsor, whence Massey is sending a force to relieve Cumberland. Col. Cor. N. S. vol. 10, p. 316

Enclosed. Arbuthnot to Howe, 11th November. Congratulates him on his success. Has received uniforms for 1,000 men, green turned up with white, with white waistcoats and breeches; the idea of 1,000 men was abandoned and 500 ordered. The rebels propose to attack the Province and have cut a road from Casco to St. John River; has applied to Collier for armed vessels to defend the harbours; two armed vessels ordered for that purpose. Encloses letter from Francklin; every thing

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possible shall be done for defence. A postscript mentions re
another letter from Francklin. Col. Cor. N. S. vol. l

Francklin to Arbuthnot, Windsor, 15th November. Repo
Cumberland is invested, and the measures he has taken to
vessels and troops for its relief.

In Francklin's letter is copy of one of the same date add
the Commander of any of His Majesty's ships at Annapolis, t
Cumberland is invested and asking him to bring his ship to t
of Minas to take under convoy the transports for the relief of

(The letter is signed by Francklin and Major "Batt," w
"Thomas Batt, major and commanding officer"; see note
letter of 7th June, 1775; there was no officer of the regular arm
Batt, so far as can be ascertained by reference to the Army Li

December 3. Papers relating to the attack on Fort Cumberland, from No
to date in margin, enclosed in Massey's letter of 4th Janu
which see.

December 20, Halifax. Massey to Secretary of State (Germain). Has only now he
Gorham that Fort Cumberland is safe; it would have fallen bu
assistance so quickly sent from Windsor; delay on the part of t
wishes the management had been left in the hands of Arbuthn
difficulty Gorham had in strengthening the fort with his own cor
inhabitants gave no help since June, having almost to a man j
rebels. Account by Batt of the brave conduct of the marin
Gorham's small detachment (Royal Fencibles), but cannot m
how so little execution was done on the enemy. Is acting en
himself, as he has received no orders from Howe. The
chaplain, Benach, has brought word that all the inhab
Cobequid and Pictou had joined the Irish Presbyterian rebels
sent a vessel to St. John for cannon; that Eddy, Allen, How
and Rowe (Roe in Gorham's proclamation) were the ringlea
Cullen, Captain Barron and Parson Egleston were sent prisoner
England. Rev. Mr. Desbrisay has arrived from the island of
and been detained to prevent him from falling into the han
rebels at Pictou. Sends the rest of Gorham's journal and corres
The Lieut. Governor has applied to have the two light compan
Fort Cumberland, to which he has consented. Had Batt d
was ordered the fort would have been quiet, but now the rebels
on the ice and keep it in perpetual alarm. Col. Cor. N. S. vol.

December 31, Halifax. Arbuthnot to the same. Relief of Fort Cumberland; in con
of Gorham's proclamation of pardon, upwards of 100 laid do
arms in two days. Anticipations of success on the continent
operations of Howe and Clinton. Capture of a vessel loa
tobacco to be sold in France to purchase an armed pirate to be
manned in France. Some English prisoners who had been sh
board had taken the vessel and brought her into Halifax. C
Providence (Rhode Island), without opposition; failure in Mass
to raise the fourth man; distress of the poor. The neces
test for the dissenting clergy in Massachusetts, if faithful subje
be looked for. The people in Nova Scotia generally loyal, ex
sectaries, who never will be so until their clergy are under som
Can manage the rest, except the New England people and the
who are bitter bad subjects.

No date. Memorial of Binney for a salary. Dartmouth

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January 1, Halifax. Arbuthnot to Secretary of State (Germain). Sends minutes
cil, list of members and estimate for the current year.
Col. Cor. N. S. vol. l

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Enclosed. List of Council. Col. Cor. N. S. vol. 11, p. 169
Minutes of Executive Council from 12th July, to 13th August, 1776. 170
Estimate for 1777. 179
(A duplicate of the letter is marked R. 43, B. T. N. S. vol. 27; of the minutes in B. T. N. S. vol. 42).

uary 2, ifax. Francklin to Secretary of State (Germain). Calls attention to his commission as Lieut.-Governor being cancelled, for no fault on his part; his services and losses. Col. Cor. N. S. vol. 11, p. 37

uary 4, ifax. Massey to the same. Five prisoners taken in arms have been sent in by Gorham. One, Dank, calling himself a colonel, was a captain who sold out of the rangers at the Havana; he has died at Windsor from the effects of a wound from a spent ball. The others are delivered over to Arbuthnot, to be tried for rebellion and robbery. The number of distressed people in the utmost want, who are flying for refuge. Has advised Capt. Macdonald of the Highland emigrants to send his long recital for the better carrying on good order in Church and State from which some useful hints may be taken. (See 30th October, 1776). 40

Enclosed. Documents sent by Gorham, namely:

Extract from a Journal. The proceedings at Fort Cumberland situated on the Isthmus of Nova Scotia during the late investment and attack on that fortress by the rebels. 42

(This journal covers part of the period in the one sent by Massey on 22nd November, 1776, but gives details not mentioned in the other and extends to 22nd December).

"On the 4th of November the Command boat was sent with provisions "to a small party which had been posted at Chepodia to intercept deserters "and to cutt off their communication from Machias thro' the River "Peticotiack to this province. The people in the boat first discovered "the Enemy's being in the Country immediately returned with an infor- "mation which they received from the inhabitants, that on the 25th "October a number of boats from the Westward with about two hundred "men includ[e] near fifty Indians, surrounded and took that detachment "of the Regiment and carried them to Machias.

"The remainder of this body of the Enemy dividing themselves into "three divisions, two of which went to stop the communication from "Cumberland to Halifax, the other up the river Cocan and Merimick to "collect Indians and others.

"The Transport Sloop with our winter's provisions and Stores, that "arrived into this Harbour the 25th October under Convoy of the Juno, "which soon after sailed got into Cumberland Creek, near the Garrison. "A night Guard was placed for her protection, and spies sent out in the "Country to reconitre, (*sic*) but they not returning about the time they "were expected and hearing various reports of the Enemy from the "Country people, the Guard were augmented and the whole Garrison em- "ployed to Complete the Works, and put the fortification in as respectable "a situation as time and circumstances would admit.

"The 7th found that the Enemy under the advantage of a thick Fogg "and dark night had surprized and taken the provision sloop and party "placed on board, and early in the morning took by a decoy and otherwise "Capt. Barron Acting Engineer and the Rev. Mr. Egleston acting Chaplain "and a great part of a working detachment sent to unload the provisions "before they discovered the Sloop and Guard were in the Hands of the "Enemy; A party of fifty men were immediately sent. One of the Can- "non drew down from the Garrison to retake her but the vessel floated and "soon got out of their reach as she sailed further up the Harbour into the "River Leplanche.

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"The Chepodia party taken by the Rebels co
"officer one serjeant and twelve Rank and file
"placed on board the provision Sloop, and tho
"Spies and others taken and decoyed amount in
"Engineer one Lieut. one Acting Chaplain t
"two Rank and file. A small escort before de
"and Pay Master Serjeant to fetch up Money M
"joining the command from Halifax, Reduced t
"officer Two Captains Eight Subalterns thirteer
"and one Hundred and forty two Rank and file.
"bitants of the country who had been employe
"during the summer carried Arms and contin
"pay Lieutenant, three Officers of the militia bei
"or ten more Inhabitants with their numero
"joined us either for defence or protection, ther
"was found to consist as follows, Royal Fencibl
"and seventy one, including Commission Offi
"Bomb and three Gunners, fifteen carpente
"three Militia Officers and Nine Inhabitants,
"about two hundred, including the sick.

"We got but between three or four months
"Sloop and a few pease, the Rebels having tak
"supply, Ten Days only of other Species were r
"the Garrison, the Contracter for fuel had not l
"Under these circumstances all the Horned C
"Spirits, potatoes, Fuel and other commodities t
"which might be of use to the Garrison or that
"the Rebels was seized and a Manifesto Publishe
"against giving them the least assistance comm
"the King's Troops in repelling and driving the
"wise if they abetted or took up arms in their be
"immediate military execution &c.

"Soon after came in a letter under colour of
"one Jonathan Eddy, Commanding Officer, Su
"surrender to the United Colonies of North An
"in four hours, otherwise they were determin
"and we must abide the consequence. An Ans
"an other Flag received a paper in the name
"Country directed to the Commanding Officer
"Manifesto.

"The strength and situation of our Artillery,
"were as follows, the former consisted of three
"six-pounders taken from the transport, three
"twenty Barrels powder and a proportion of
"thousand musquet Cartriges. The Ambruzier
"parts of the pracipit in comple (parapet inco
"Bastions Curtains &c., by being so long expos
"frost were bent down tosuch a slope that one m
"part of the fort, which was Guarded by a line
"about Ten feet in height (placed in a shallow
"able to erect during the Summer, the covert
"and the glacis reduced almost on a level.

"The Spur which contained the magazine, C
"ters shop and many large old buildings erected
"Lord Loudon's army from Halifax, in the yea
"the accommodation of about eight hundred me
"short palusadoes only such as we coud provide
"and placed about three feet from the Glacis but

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"without much difficulty either in or out. Yet our greatest apprehension "and danger was in the facility of setting fire to those old building either "by throwing bundles of hay or other Combustables over them short "picketts or communicating fire to them first from the houses in the "suburbs or other buildings contigous to the Fort, the Flames of which "must of course extend to the Fort Barracks. Having received infor- "mation of their making preparation for such methods of attacking, "therefore the powder was removed from the magazine, to one of the "old Cazamits in the Fort the decayed and most dangerous situated "buildings pulled down and some fence rails of about fifteen feet long "which lay near the Garrison placed as a Freeze, one end in the Trench "sloping between the upper part and bearing upon the Ribbons of the "short palasadoes, and pointing over the Glacis which not only made the "access in or out very dangerous but prevented their throwing combus- "tables over them, large Loggs were fixed all round the Parapet on roll- "ers and one hundred spare bayonets fitted on poles of 12 feet long which "were place in readiness on the ramparts a Traverse erected to the Fort "and Spur Gate, and the Windows of several well situated houses baricaded "in the Spur, the Soldier's Barracks were they had lodged during the sum- "mer in the Spur were exceedingly bad and those repairing in the Fort for "the Winter at this time not fit to receive more than Forty or fifty men, "the Regimental Cloathing not yet arrived, the Ordinary Supply Vessels "taken and the communication with Halifax shut up or attended with so "great difficulties the Garrison was left destitute of most every necessary "in the Cloathing way and placed in open leaky Barracks all Summer, the "whole Garrison from their arrival to this Command had been daily em- "ployed in Kings works fatigues or guards, the disaffected country people "using their constant endeavours to seduce them, by offers of high wages "and reward in the Rebel Service, One must expect great murmurings and "desertions, &c. Yet under all these difficulties and disadvantages, altho' "too many did desert, these were not so many as in such a situation & "under such enticements might be expected from a new raised Corps, And "no Troops could be more ready and alert at their posts nor more active in "extinguishing the Fire, under these circumstances was found necessary "to give all the Regiment not only an allowance of Rum by day but to "the Guards and others by night, as one half of the Garrison by tour was "constantly in the Ramparts and further to support this hard labour & "duty the Cold Season advancing, Fuel scanty & scarce of Cloathing and "other necessaries which coud not be purchased an extra allowance of "two pounds of beef a man per Week, and Potatoes equal to that quantity "of bread, also half a pound of Tobacco and the Soldiers permitted to wear "the Barrack Ruggs and Blanketts otherwise they must suffer greatly if "not entirely perish.

"Several early attempts was made by Lieutenant Sharman and others "who understood a Birch Canoe to convey intelligence of our situation, "thro' Windsor to Halifax, but was intercepted by the Enemy, and at "length got out a small open sail boat which left this the of Nov. "Lieutenant Dixon half pay officer generously offered himself for this "piece of difficult service, with two soldiers and two of the inhabitants "of the Garrison.

"Scarce a night passed but they disturbed the Garrison by firing their "Musquetry or setting fire to the adjacent houses when the wind favoured "their purposes; but their first grand attempt was on the 13th at 4 "o'Clock in the morning, which began it being exceedingly dark; by a "heavy fire on the Flagg Staff Bastion from the Bricklin and drains at "the foot of the Glacis and other hollow places, with a veiw to draw the "principal part of our strength to support that post, there real attack "was intended on the Curtain opposite the Bakehouse between Princes

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"and Howe's Bastion which was the weakest part of the Fort, but the
"Main Guard being kept as a reserve to reinforce occasionally where
"most required, they soon found themselves deceived in their scheems
"and received such heavy fire that they threw down their scaling Lad-
"ders, Saws and other implements for cutting down the pickets, quitting
"some of their Arms, fell flatt on the ground and scrabbled off they had
"an Indian and several others wounded.

"Their next tryal of any consequence was between 3 and 4 in the
"morning of the 22nd it being very dark and a high Wind from a
"quarter, which exactly favoured their purpose they set fire to a Barn
"and some other Houses, the contigous, the shingles and pieces of wood
"on fire went over the Spur buildings which had got to a considerable
"length but the readiness and activity of our men on this difficult
"occasion was really surprizing, the Enemy made but a very indifferent
"use of their expected confusion, more then half the Garrison being em-
"ployed in extinguishing the fire and kept but Ten or a Dozen men firing
"at ours who were placed on the tops of the houses in full sight and
"much exposed.

"Next day the Garrison was employ'd in uncovering the houses near
"the Fort that had escaped this served us for fuel, some very good houses
"was intended to have been reserved for Barracks, should a Reinforcement
"arrive but the night following they sett fire all the remaining buildings
"being about twelve dwelling houses Besides Barns & our Hospital,
"which was a very large building.

"This morning the Rebels taking the advantage of a very thick Fogg
"drove most of our Cattle off from some Hay Stacks near the Garrison,
"an officers party was sent out to intercept them and an other to support
"them, which brought on a smart skirmish, our men drove them into the
"woods and kill'd several, but we had three privates wounded.

"At 10 o'Clock His Majesty's Ship Vulture appeared off the Harbour and
"at 1 Major Batt and Captain Studholme landed with Captain Branson
"and his Company of Marines being all that coud be got on shore that
"day.

"From the 7th inst to the 28th had 8 of the R. F. Americans deserted
"& 3 died. One private which they took on board the provision sloop
"escaped from the Rebels and joined us.

"The 28th Captain Pitcairn landed with the remainder the whole
"amounting 2 Captains 4 Subs 1 Surgeon 3 Serjeants 2 Drumrs and 71
"Rank and file they parted some days before with two Companys of
"about one hundred and twenty of the Royal Emigrants but they not
"appearing in sight the whole of the Marines were ordered to hold
"themselves in readiness with 1 Captain 4 Subs 4 Sergeants 2 Drumrs
"& 64 Rank and file of the R. F. Americans (those best shoed or
"cloathed), under the Command of Major Batt to march at 4 o'Clock the
"next morning to attack their Camp were they were they Hutted &c., at
"a place call'd Camp hill about a mile distant from the Garrison, some
"people came in which gave an account of there being but two or three
"hundred only remaining in that Camp and in the houses adjacent.
"This detachment which consisted of 150 Rank & file left the Garrison
"at about 5 o'clock in the morning and soon began the attack on a
"number of the Rebels they found in Reeds house which they called their
"Head Quarters, routed them and all the others who were in Hutts and
"Sheds, which they pursued four or five Miles in the Bay Verte road killed
"several Indians, French Acadians, and Rebels. Two of the R. F.
"Americans were killed & one wounded, Major Batt reports that both
"Corps behaved with great activity and resolution. The Enemy on this
"retreat firing from some of the Houses, the soldiers after beating them
"out set fire and consumed almost all the buildings from the fort to bloody

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"Bridge and on report that Howe with some other Heads of their people "had agreed with the Indians and French Acadians who have been very "mischievous and revengefull in the Rebellion to burn all the houses "belonging to the Yorkshire Familys and other Government friends parti- "cularly at Fort Laurence A Company of Marines with a Detachment "of R. F. Americans was sent to take post there to secure the Houses and "a Quantity of provisions they had left. A detachment of about 100 men "was ordered to proceed to Westcook and Mamramcook to cut off their "Retreat and destroy a number of Boats and Canoes the Enemy had lain "on the Banks of that River and Chepodia Bay. But the weather "turning out rainy, the Roads excessive bad, and not half the Men of the "Regt a shoe to their feet this march was defer'd and in the interim a "letter was received by Mr. Charles Dixon of Westcook who informed "that most of the people of that district which had been in Arms were "convinced of their errors and desirous of surrendering to the Kings "Mercy and further representations and Petitions presented from most "all the Yorkshire Familys, and other friends of Government who were "threaten'd that if any more Houses should be burnt the Indians and "French would absolutely sett fire to them which they coud easily effect "during the night and that the continuance of this burning on both sides "must soon terminate in the destruction and ruin of the whole Country, "and drive a number of people with their numerous Family to their last "recourse of recovering their support & protection from the Garrison.

"November the 30th. In this criticle situation a declarations of condi- "tional pardon was to those who shoud lay down their arms and surren- "der in four days to the King's mercy on which numbers daily came in "giving up their Arms and greatly regret the part they been taking.

"The Commanding Officers recommended and prest in the strongest "terms for Capt. Feattas, of His Majesty's sloop the "Vulture" to remain "in the Harbour as long as the season would admitt, having late intelli- "gence the Rebels expected a reinforcement of Men and Artillery under "the command of a Col. Shaw, and of their detaching a party to Pictou to "take a Vessel laying there with Cannon and provisions on board.

"December 2nd. Capt. Dawson of the Armed Brig Hope arrived in the "Harbour with a large Victualing Ship from Halifax, in this passage took "the Independance rebel Brigg with 14 guns and one hundred men, he "offered to supply the garrison with four-six pounders and Eight four "pounders which was readily received; some of the Accadians French, "who surrendered with a few Indians for the sake of the Reward and to "retreive their characters was engaged to apprehend Eddy, Howe, Roe "& Rogers, and by threats, persuasions &c., some of the inhabitants were "prevailed on to retake the Vessel the Rebels went after to Pictou by "surprizing them immediately on their arrival at the Bay Verte, for "should a party be sent for that purpose the Captors woud immediately "sett sail with their prizes.

"Some Officers of Militia and Majestrates who had been taken and sur- "rounded having particular complaints exhibited against them a number "of the principles were sent on board the Vulture for Halifax.

Proclamation by Gorham. 55

"By Joseph Goreham, Esq. Lt. Col. Commandt. of the Royal Fencible "American Regt. of Foot and Commanding Officer of His Majesty's Troops "at Cumberland &c. &c.

"Whereas a most dareing Rebellion has for some time prevailed in "most of the Provinces of the American Continent and a number of armed "men infatuated with those Principals have lately entered this Province "in Arms and seized a Vessel with Provisions for this Garrison with the "safe Guard placed on Board and have taken some detached out Guards "and further are using Methods to seduce and compell by Threats and force

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"of Arms His Majesty's liege and well affected Inhabitants of this Province
"of Nova Scotia from their allegiance and to join them in this unnatural
"rebellion.

"I do therefore hereby think it necessary, not only to warn those of
"His Majesty'ss ubjects in this district & province from taking any Part
"either in Arms or otherwise by giving them or their Abettors the least
"assistance but to inform those who should by any means be so far prevailed
"on and seduced from their allegiance to the best of Kings and the duty
"they owe their Country as to join, abett or to assist those in Rebellion that
"they will [not only] suffer the Penalty as the laws in this Case direct
"but subject themselves to an immediate Military Execution.

"Given under my hand, &c., &c., at Ft. Cumberland, 7th November,
"1776. Signed JOS. GOREHAM."

Demand by Eddy to Goreham to surrend the fort. 56

"To Joseph Goreham Esq., Lt. Col. Commandt. of the Royal Fencible
"Americans Commanding at Fort Cumberland.

"The already too plentiful Effusion of Human Blood in the unhappy
"Contest between Great Britain & the Colonies, calls on every one
"engaged on either side to use their utmost efforts to prevent the
"unnatural Carnage, but the Importance of the Cause on the side of
"America has made War necessary & its Consequences tho' in some
"Cases shocking are yet unavoidable but to evidence that the Vir-
"tues of Humanity are Carefully attended to, to temper the Fortitude of a
"Soldier, I have to summon You in the name of the United Colonies to
"surrender the Fort now under Your Command to the Army sent under
"me by the States of America—I do promise that if you surrender Your-
"selves as Prisoners of War you may depend being treated with the
"utmost Civility and kind treatment; if You refuse I am determined to
"storm the Fort and you must abide the consequences. An Answer is
"expected in four Hours after You receive this and the Flag to return
"safe. "I am Sir, Your humble servant,

"JONTH EDDY,
"*Commanding Officer.*

Refusal by Goreham. 57

"FORT CUMBERLAND, Nov. 10th, 1776.

"I acknowledge receipt of a letter signed *Jonathan Eddy Commanding*
"*Officer* Expressing a Concern of the unhappy Contest at present Subsist-
"ing between Great Britain and the Colonies and recommending those
"Engaged on either Side to use the Endeavors to prevent the too plentifull
"Effusion of Human Blood & further summoning the Commanding
"Officer to surrender this Garrison.

"From the Commencement of these unhappy Contests I have felt for
"my deluded Fellow Subjects and Countrymen of America and for the
"many Innocent People they have wantonly involved in the Horrors of an
"unhappy Rebellion, and entertain every human principal and aversion
"to the unnecessary effusion of Human Blood—Therefore Command you
"in his Majesty's name to disarm and recommend your surrendering your
"Self and party Immediately to the King's Mercy and further desire you
"will Communicate the enclosed Manifesto to as many of the inhabi-
"tants you can and as speedily as possible to prevent their involving
"themselves in the same dangerous and unhappy Dilemma.

"Be assured Sir I shall never dishonor the Character of Soldier by
"surrendering my command to any Power, but that of my Sovereign
"from whence it Originated. "I am your humble servant,

"JOS. GOREHAM.

Refusal of the inhabitants to obey Goreham's proclamation. 58

1777.

"To Joseph Goreham, Eq. Lt. Col. Commandt. of the Royal Fencible "Americans Commanding at Fort Cumberland.

"The inhabitants of the County of Cumberland have given incontes- "tible Evidence of their Peaceable Disposition, but if the Garrison "came here to defend & protect them, 'tis very Late to be informed of "it, four or five days after a Number of People from the Westward in "Arms appeared amongst them with an Intention to take the Fort, "attended by Hundreds of Savages who threatened to burn our Houses "and destroy our Families if we do not join in the Common Cause what- "ever therefore may be done by the Inhabitants is warranted by the Law "of self preservation.

"We are not so insensible and stupid as to run Mad in a Wild Affair in- "considerately but cast ourselves on the Providence of God and expect "His Blessings & protection. We are averse to the shedding Blood. "We have ever prayed and still do for a speedy and happy settlement of "the present and unhappy troubles.

"But since Your Manifesto threatens us for what is already done with "a Military Execution We have no encouragement to retract—We had "rather die like Men than be Hanged like Dogs. At the Desire of the "Inhabitants of Cumberland.

"November 11, 1776.

Goreham's promise of amnesty to all but the ringleaders. 59

"By Joseph GorehamEsq. Lt. Col. Commandant of His Majesty's Royal "Fensible American Regiment of Foot Commanding at Fort Cumber- "land &c.

"Whereas a Number of the Inhabitants of this Part of the Province "have lately been seduced and many compell'd to join a Party of Rebells "in arms and with them have frequently attacked His Majesty's Garrison "and Troops at Fort Cumberland—but having received Information that "a great part of them are now Convinced of their crime and are desirous "to submit themselves to the Kings Mercy.

"To prevent the Horror and Devastation, the Loss of Lives and De- "struction of Houses and property the Ruin of many innocent Families "the Continuance of those Hostilities must inevitably occasion.

"I do hereby think it necessary to make this declaration that I will "use my Endeavor to obtain His Majesty's most gracious Pardon to all "such of the Inhabitants of this Part of the Province or others that have "lately been in Arms who will within four days from the date hereof lay "down their Arms and Surrender themselves to the Commanding Officer "of this His Majesty's Garrison, and untill the King's Pleasure shall be "known those who surrender shall without molestation enjoy the "Peaceable Possession of their Houses and Estates otherwise they will "bring upon their own Heads the Calamities of War and may justly ex- "pect the Severest Military Execution.

"Given under my hand at Fort Cumberland the 30th Nov. 1776.

"N.B.—Jonathan Eddy, Samuel Rogers, Willm. Howe and John Allen "for whom a reward has already been offered by Government is excluded "the Benefit of the above Proclamation.

"Addition of the 1st December—and for apprehending Jonathan Eddy "Two Hundred pounds, for Sam. Rogers, Wm. Howe & John Allen "each One Hundred Pounds is given.

"Additional proclamation excepting Roe from amnesty. 60

"By Joseph Goreham Esq. Lieut. Colonel Commandant of the Royal "Fensible American Regt. of Foot Commanding His Majesty's Garrison "of Fort Cumberland &c.

"Whereas one Zebulon Roe, commonly called Major or Colonel Roe, "formerly an inhalitant of this Country but on the Late attack upon the "Kings Garrison and Troops, has headed a Number of Armed Men and

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"been principally Instrumental and active in seducing and compelling the "Inhabitants of this Province to Join with Him in Rebellion and further "has since the Declaration and Conditional Offers of Pardon has been "Generally published and made known persevered in the Principals of "Rebellion and continued to seduce and Compell the Inhabitants to re- "main in Arms against their Sovereign persuading them not to and refus- "ing himself of any Offers of Mercy.

"I do therefore think it necessary and for the good of His Majesty's "Service, not only to exclude the said Zebulon Roe from the Benefit "offered in the Declaration of the 30th November last, but to Engage in "behalf of Government a Reward of One Hundred Pounds to be paid to "any person or persons that shall apprehend him the said Zebulon Roe, "and bring him to justice.

"Given under my hand at Ft. Cumberland, this third day of "Decem., 1776.

The time for submission having expired the benefit to be withdrawn.

61

"By Joseph Goreham Esq. Commandant of the Royal American Fen- "sibles Regiment of foot and Commanding His Majesty's Troops at Fort "Cumberland.

"Whereas I tho't fit in compassion to the Deluded and in order to rescue "the Province from the impending horrors of war—To publish a Mani- "festo, inviting those who had taken up arms against His Majesty and "the People of England to return to a sense of their duty and promising, "as fair as in me lay a mitigation of their crimes, provided they sur- "render'd with their arms again a certain time.

"And whereas some Rebels have most daringly and in violation of the "sacred laws of Society stood out many days beyond the limited time "against every humane method to bring them to reason, I find myself "oblig'd from the duty I owe my Gracious Sovereign and the Constitution "to pronounce a period to said indulgence from the date of this proclama- "tion, and I do hereby publish and declare that from this date I will re- "ceive no submission of Person or Persons, but as prisoners to be dealt "with, as the laws, civil or military may deem fit, and all Persons are "hereby authoriz'd to seize the bodies of all such Men as have been in arms "against the sacred Majesty of George the third and the People of "England, for two years last past (except those already surrendered or "who have made application for pardon) and to secure and bring them "to justice as *Out Laws, Culprits,* unworthy of the feelings and pity nat- "ural to British authority.

"Given under my hand at Fort Cumberland, this 10th day of "December, 1776.

"JOS. GOREHAM.

January 7, Halifax. Capt. Collet to Secretary of State (Germain). Was appointed in May, 1767, to command Fort Johnson, at Cape Fear and was of service to Tryon against the regulators, then beginning to disturb his administration. In 1772, on his return, he found the fort so much out of repair that he expended £1,600 on it, hoping for reimbursement. States at some length his services and losses as a claim to consideration. 63

January 7, Halifax. Memorial of Rev. Joseph Bennett, for payment of his expenses as an itinerant missionary, and for retaining the Indians in the King's service. The account is attached, showing a balance due to the memorialist of £100, 8s. 10d. S. 6, B. T. N. S. vol. 25

January 8, London. Opinion of Counsel (Jackson) on bills passed in Nova Scotia in June, 1776. The Act for taking, examining and stating the public accounts is improper. The others are proper in point of law.

R. 41, B. T. N. S. vol. 27

...main) to Arbuthnot. The pardon of John ... confirmed. Col. Cor. N. S. vol. 11, p. 1.
... vol. 1, p. 243).
... main) to Arbuthnot. Dispatches received. ... reported uprising and operations of the ... by the news of Howe's success. The main ... York being broken, it is not likely they can ... confederates in Nova Scotia, so that he has no ... to Fort Cumberland would arrive in time. The ... Franklin and the Windsor volunteers much com- ... prudent and spirited measures taken by him ... Massey and Collier very much approved of by the Col. Cor. N. S. vol. 11, p. 3
... Col. Off. N. S. vol. 1, p. 241).
... State (Germain) to Arbuthnot. Is happy to find that ... apprehension of danger to Halifax. The affair at Fort Cum- ... a strong proof of the rebellious disposition of the inhabitants. ... hopes the measures for its relief will have the good effects ex- ... Col. Cor. N. S. vol. 11, p. 6
... copy in Col. Off. N. S. vol. 1, p. 244).
... Secretary of State (Germain) to Massey. Is concerned to find that ... suspicions of the inhabitants of the back parts of the province have been justified by the accounts from Fort Cumberland. Shall expect to hear by the next ship that the fort was relieved and the instigators of the insurrection punished. Col. Cor. N. S. vol. 1, p. 8

Arbuthnot to Secretary of State (Germain). Sends memorial from Arthur Goold. "Such personages diffused through the out parts of the "province will be a means of Humanising the settlers and exact an "obedience to the law, a measure too much neglected in this as well as "in most others of His Majesty's Dominions." R. 42 B. T. N. S. vol. 27

Enclosed. Memorial of Arthur Goold stating his services, and, as the duties of his office are performed by deputies, asks leave to reside at Nipisiquit, where he may be able to establish a police, beneficial to His Majesty's service and to the community of which he shall become a member. R. 42 x.

Massey to Secretary of State (Germain). Everything quiet and will remain so for the winter, the Bay of Fundy being now impassable. Knows the good from the bad subjects, in spite of the reports intended to misrepresent. The case of the barrack master.
Col. Cor. N. S. vol. 11, p. 19

Memorial from John Pagan for confirmation of lands purchased from original proprietors and laid off by survey, so that he may be enabled to establish a fishery at the river Pecton, and for manufacturing lumber, &c. R. 40, B. T. N. S. vol 2

(The name is distinctly written Pecton, but from the description it is undoubtedly Pictou).

Massey to Secretary of State (Germain). All well in Halifax, but has not heard from Cumberland lately, on account of the ice. Has received dispatch of the importance attached to Halifax, which he will defend with his life. Had been pressed to send Wade, his aide-de-camp, with account of the success at Fort Cumberland which has changed the people's sentiments, although he has no better opinion of them than before. Had received many alarming accounts from Cumberland, but as soon as the reports proved to be true he had lost no time in sending there. Eddy, Rogers and Howe are among the Indians on the St. John, to coax them to join; hopes to have hold of them by spring.
Col. Cor. N. S. vol. 11, p. 21.

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January 31, Halifax. Arbuthnot to Secretary of State (Germain.) Hopes the last news he sent was not ill founded, notwithstanding the small interruptions the troops met with. Men driven to desperation are capable of the meanest malignity, so that although he has hopes of the success of the troops in spring yet, in consequence of the extreme weakness of the garrison, he has sent a requision to Collier to be submitted to Howe, of which a copy is inclosed; if his Lordship sanction the plan, he (Arbuthnot) can answer for the safety of the province. The presence of the Chief Justice is essentially necessary. Col. Cor. N. S. vol. 11, p. 2

Enclosed. Proposal to Sir George Collier of a plan for the defence of Fort Cumberland, which is the key to the province. Two ships of war to be stationed at the Grand Passage at the entrance to the Bay of Fundy, one at Annapolis, one in St. John River, one at Minas Basin, one well up the Shipody River, and if it could be spared, a small vessel to keep the inhabitants of Cobequid Bay in order and to guard the entrance to the Shubenacadie. In this way, all the avenues to the interior parts of the province would be secured. 2

February 4, Whitehall. Lords of Trade to the King. Recommend that assent be given to the Act for taking, examining and stating the public accounts. B. T. N. S. vol. 38, p. 490

February 10, Halifax. Massey to Secretary of State (Germain). Arrival of the "Gage" at Annapolis, after leaving clothing, rum, &c., for Goreham's regiment. If he had not, contrary to the opinion of the sea officers, ordered her there, Goreham's men would have perished with cold. Eddy, Rogers, Allen and Howe are at St. John River, preparing with the Indians for attacks on various points in spring; is ready for them and has sent a few light troops to have the first brush. Sends address from the Yorkshire men at Cumberland; its loyalty, &c. Has ordered the light companies of marines to assist them should it be necessary. Encloses letter for Mrs. Massey. Does not know what Howe is doing; all sorts of unfavourable reports are in circulation. Col. Cor. N. S. vol. 11, p. 110

Enclosed. Address from "the magistrates, free holders and other loyal inhabitants of the county of Cumberland." 113

February 21, Whitehall. Secretary of State (Germain) to Arbuthnot. Sends order disallowing an Act passed last year and report of the Lords of Trade giving the reasons. Col. Off., N. S. vol. 1, p. 245

Order in Council referred to, disallowing Act relating to the public accounts. 249

(Duplicate of the letter is in Col. Cor., N. S. vol. 11, p. 10.)

March 5, Whitehall. Knox to Arbuthnot. Sends estimate for the civil establishment for 1777. There is an addition of £350 to the former estimate, namely, £300 to Francklin, as superintendent of Indian affairs, and £50 for the expense of issuing the grant. Col. Cor. N. S. vol. 11, p. 23

Enclosed. Estimate. 26

(Duplicates of letter and estimate in Col. Off. N. S. vol. 1 pp. 255, 256, copy of estimate in B. T. N. S. vol. 38, p. 492).

March 6, Whitehall. Secretary of State (Germain) to Massey. Letter received, but not the dispatch sent by way of Ireland. Has expressed himself fully to Arbuthnot upon what has passed at Fort Cumberland. Thanks for intelligence which he is requested to continue. Col. Cor. N. S. vol. 11, p. 32

(Copy in Col. Off. N. S. vol. 1, p. 253).

March 6, Whitehall. Secretary of State (Germain) to Arbuthnot. The King's satisfaction at the success at Fort Cumberland; agrees as to the probability of an attack in spring: Goreham to be watchful and to have provisions to stand a siege till succour can arrive. The misfortunes caused by negligence will, His Lordship hopes, excite to greater diligence. The requisition to Collier, for seven small ships of war, will, no doubt, be complied with by Howe, so far as possible, but anticipates that the success of His

1777. Majesty's arms will render a smaller number sufficient against formidable, and the force in the Province should be security against small, enterprises. Bryan Finucane appointed Chief Justice.
Col. Cor. vol. 11, p. 33

(Copy in Col. Off. N. S. vol 1, p. 249.)

ch 18, fax. Arbuthnot to Secretary of State (Germain). Sends minutes of Council from 9th October to 23rd December, 1776. Col. Cor. N. S. vol. 11, p. 120

Enclosed. Minutes. 121

ch 18, tehall. Lords of Trade to Arbuthnot. They have no objection to Goold, Registrar of the Province, making Nipisiquit his place of residence.
B. T. N. S. vol. 38, p. 493

ch 30, fax. Arbuthnot to Secretary of State (Germain). Had sent account of insurrection at Cumberland promoted by the people of Machias; hopes he had received report of its defeat. Pardon for John Ward shall be duly attended to. Col. Cor. N. S. vol. 11, p. 180

l 5, fax. Certificates of the loyalty of Joseph Gray, by Bulkeley, 22nd March (p. 1); by Massey, 4th April (p. 2); by Nesbitt, Attorney General, 5th April (p. 3). Col. Cor. N. S. vol 12, pp. 1, 2, 3

l 8. Memorial (undated) of John Cort, of Miramichi, stating his services and desiring to be made contractor for masts. R. 46. B. T. N. S. vol. 27

13. Memorial (undated) of Jonathan Binney for payment of his salary £75 a year. R. 47. B. T. N. S. vol. 27

28, fax. Goold to Arbuthnot. Reports his having been taken in the "Vulture" from Annapolis to St. John River; all the inhabitants there have cheerfully taken the oath of allegiance, after delivering up two pieces of ordnance, formerly concealed by the French inhabitants. The good dispositions of the Indians; eight of their chiefs have taken the oath in name of the rest of the tribe, who are now beaver hunting; six are to be sent down to ratify the chain of friendship. His opportune arrival, as Allen, Howe and others were assembled to play the same game as last year, but the boat in which they tried to get up the river was taken; they dispersed and two schooners loaded with supplies for the Indians were intercepted, so that the attempt proved abortive. Sends letters with particulars of his proceedings. Col. Cor. N. S. vol. 11, p. 159

Enclosed. Goold to inhabitants of River St. John, dated 9th May, offering pardon and the free possession of their properties on certain conditions. 143

Answer dated Maugerville 12th May, that the inhabitants are ready to attend to the conditions of lenity held out to them. 145

Goold to the Indians (in French) dated 11th May. His gratification at meeting them after the proof they have given of their attachment and fidelity to the King. Representations shall be made so that they may have a priest for their spiritual aid. They may have M. Bourge, now at the Bay of Chaleurs, who would be put on the same footing as their late missionary, Bailly. 147

Speech (in French) by Goold, to the Indians, 11th May, that their conduct should be overlooked, being attributable to bad advice and the folly of a few of the tribe. Desires that four of their principal men should be sent with him to Halifax, who would be returned with care and with every supply the tribe might need. 149

Goold, to the inhabitants of the river St. John, 14th May. Is pleased at their unanimity to observe loyalty to government, but surprised that they should allow a few incendiaries to disturb the public tranquillity, which should be preserved even if there were no government. If the name "Committee" frightens the majority of a loyal people, why do they not form a committee themselves with friends in other townships, and see which is strongest? Howe and Pruble came yesterday, but their boat was taken, and they, with their crew, fled to the woods.

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bitants of St. John River, 14th May; answer of the 16th; reply by Goold of the 17th; letter to the inhabitants 20th May. For these see 28th May, report by Goold to Arbuthnot of his proceedings.

ne 12, hitehall. Lords of Trade to Arbuthnot. In respect to the memorial of the settlers of Lunenburg for gratuitous grants of their lands, it does not appear to be a matter in which they can interpose by advice to the Crown, not being sufficiently apprised of the merits of the petitioners or their abilities to comply with the customary charges. Send copy of the disinterested proposal of Legge for his guidance.

B. T. N. S. vol. 38, p. 494

ne 19, alifax. Massey to Secretary of State (Germain). Reports the preparations for another attempt on Fort Cumberland and the steps he has taken to defeat it. Butler, a provincial colonel, has offered the services of his company of light infantry, which have been accepted.

Col. Cor. N. S. vol. 11, p. 166

dy 15, alifax. Collier to the same. Account of the force sent to defend Fort Cumberland against a fresh attack. Refers to Hawker's letter for the result. 202

Enclosed. Hawker to Collier, 4th July. Reports his proceedings at Fort Cumberland, the disposal of the rebels and the fidelity of the Indians; Pierre Thomas, their chief, answered Allen that he would not take up the hatchet, that all the inhabitants were favourable to Government and in great fear of the return of the rebels to St. John, if a sufficient force was not left to defend them. Shall remain at Annapolis till he receive further orders. 203

Report by Sir George Collier of the chase by the "Rainbow" of the rebel frigate "Hancock" and her capture. Manley in command, an Englishman, born at Torbay, and his captain, Watters, an American, sent to Lord Howe, there being no place of sufficient security in Halifax in which to confine them. Recapture of the "Fox" by the "Flora," both of which he found in Halifax on his arrival. Has sent Manley's flag to the Earl of Sandwich. 206

(The chase of the "Hancock" and action occupied 39 hours on the 7th and 8th July.)

ly 22, alifax. Massey to Secretary of State (Germain). Recapitulates the contents of letter of 19th June, respecting the expedition against Machias, &c. Has sent Small to Sir William Howe to represent the need of reinforcements. It is reported that Congress has voted 2,000 men to assist in the invasion of Nova Scotia. The measures he has taken for defence. 242

ly 24, hitehall. Lords of Trade to the King. Recommend that Bryan Finucane, appointed Chief Justice of Nova Scotia, should also be a Member of Council, taking rank next to the Lieut.-Governor. B. T. N. S. vol. 38, p. 496

ly 30, easury. Treasury to Lords of Trade. Transmit for consideration and report, memorial of John Burrow, for payment of a bill drawn for expenses on public business. R. 49, B. T. N. S. vol. 27

ugust 4, alifax. Arbuthnot to Secretary of State (Germain). General Assembly met on 6th and closed on 25th June, having given repeated proofs of loyalty. Sends lists of laws, copies to follow. Has received disallowance of Act, for examining and stating public accounts; the misapprehension of the words in the Act "General Assembly," which do not mean merely the Legislative Assembly, but the whole Legislature. Acts of Parliament received. Col. Cor. N. S. vol. 11, p. 213

Enclosed. List of laws passed during the last session. 216

ugust 8, hitehall. Lords of Trade to Treasury. The only method of paying the bill drawn by Legge in favour of Burrow, for the discharge of his expenses on behalf of the province, is to insert a sum in the estimate for next year.

B. T. N. S. vol. 38, p. 497

ugust 9, hitehall. Secretary of State (Germain) to Arbuthnot. Dispatches received; is happy that the Province enjoyed tranquillity during the winter and was

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in little danger from the efforts of disaffected inhabitants. The decision of the Assembly to refuse admission to the representatives of Onslow in Cobqeuid does them honour and is pleasing to the King; hopes he has succeeded in legally disfranchising these townships. The letter is sent by Finucane, appointed Chief Justice. Col. Cor. N. S. vol. 11, p. 199.

(Copy in Col. Off. N. S. vol. 1. p. 258).

August 16, Machias. Collier to Secretary of State (Germain). Account of his expedition to Machias and the destruction of magazines with provisions, &c., for the invasion of Nova Scotia; the defence of the town; had there been 100 more troops its destruction would have been complete, but it is satisfactory that sufficient was done to secure quiet to Nova Scotia for a considerable time. One of the large frigates has been left to watch for vessels with supplies. The musket balls found in the ships and those extracted from the wounded had all been chewed or jagged. Three men killed and three wounded of the "Hope's" crew; the "Rainbow" and "Mermaid" had each six and the "Blonde" three wounded.

Col. Cor. N. S. vol. 11, p. 234

August 20, Halifax. Massey to the same. Has no further success to report beyond the dispersion of rebels on St. John River preparing for another attack on Fort Cumberland. Expedition abandoned as Captain Featers of the "Vulture" refused to co-operate, having no orders. An attack to be made on Machias. 245

August 21, Treasury. Treasury to Lords of Trade. Agree with their Lordships that the money appropriated by Parliament cannot be applied to the bill drawn in favour of Burrow, but the Treasury Board will consent to a sum for that purpose being placed on the estimates next session.

S. 2, B. T. N. S. vol. 25

August 24, Halifax. Bulkeley to Collier. Communicates the sense the Lieut-Governor and Council entertain of his services in destroying the preparations made at Machias for invading Nova Scotia. Col. Cor. N. S. vol. 11, p. 253

September 12, Halifax. Arbuthnot to Secretary of State (Germain). Sends copies of laws, journals, minutes, journals of Council and list of Councillors.

Col. Cor. N. S. vol. 11, p. 219

Enclosed. List of Council. 220

For list of laws see August 4.

(Duplicates of letter, &c., are in Col. Cor. N. S., vol. 13, pp. 4 to 6.)

September 12, Halifax. Arbuthnot to Lords of Trade. Sends estimates; the expense for the militia has, in the meantime, been advanced from the fund for the payment of the Provincial debt. S. 3, B. T. N. S. vol 25

Enclosed. Estimate. S. 4

Expenses for militia. S. 5

September 14, Halifax. Arbuthnot to Secretary of State (Germain.) In consequence of threats from Machias he has been obliged to keep posts guarded by militia all winter. From the weakness of the garrison, a number of militia joined the troops cheerfully and were successful in driving off a party from Machias who had landed at River St. John. These affairs had caused a large expense for which he had been obliged to borrow from money appropriated for other purposes. Col. Cor. N. S. vol. 11, p. 238

Enclosed. Expenses incurred for the militia between 10th November, 1776, and 30th July, 1777. 241

September 20, Halifax. Massey to Secretary of State (Germain). Reports the abortive attempt on Machias, the enemy having thrown in considerable force on the approach of the attacking party and another attempt by Sir George Collier, which only roused the enemy. No information was given him (Massey) of this last attack, either by Collier or Arbuthnot; has no doubt that the co-operation of part of the force under his command would have effected the destruction of the post, causing such an alarm as would have favoured the movements of Burgoyne. 214

Arbuthnot to Secretary of State (Germain.) In consequence of frequent attacks from Machias on the settlements on the St. John, at Fort Cumberland, &c., he has requested Massey to place fifty men on a post at the entrance of the St. John River, who, with a frigate, will ensure perfect security against the people of Machias, who have long desired to possess that post as a place of arms. If Massey get the reinforcement he asked from Howe, he will adopt the measure, if approved of by the general. The whole force in the Province is only 1,300 men, dispersed in various posts and with 500 prisoners to guard. Asks for a reinforcement as he believes an attack is intended. Col. Cor. N. S. vol. 11, p. 221

Collier to the same. Reported on the 16th August the destruction of three magazines and warlike stores at Machias, collected for the invasion of Nova Scotia. The "Blonde," left at Machias to intercept vessels with stores and provisions. He (Collier) had been cruising along the coast, keeping the militia and troops in alarm, to prevent them joining against Burgoyne; had destroyed three brigs, eleven sloops and fifteen schooners, chiefly loaded with wood, which always returned with flour and provisions. Attack upon and destruction in Sheepscut River of a ship loaded with masts for France, the channel being too intricate to bring her off; the master and crew were brought down prisoners. Has received report from Captain Milligan of the "Blonde" that the armed rebels at Machias had dispersed and abandoned the idea of attacking Nova Scotia. 225

Enclosed. Declaration by Collier to the inhabitants of Machias, that if they would live peaceably, they would not be molested in their trade, fishing, &c. 230

...6. Collier to Secretary of State (Germain). Effectual protection of the fisheries at Canso and Isle Madame. The burning of the enemy's magazines at Machias has prevented the invasion of Nova Scotia; how far the unfortunate defeat of Burgoyne may stimulate them to a renewal of the attempt must be left to time. The long delay of mails reaching cause three or four months to pass before news is received either from England or New York; is anxious for letters. Col. Cor. N. S. vol. 13, p. 1

...ber 6, ...cotia. Arbuthnot to the same. Transmits memorial of de laRoche, missionary at Lunenburg, the statements in which are true. 9

Enclosed. Memorial of de la Roche, that he has been six years a missionary at Lunenburg and has not received any land, as all his predecessors had. By the death of Vincent and his wife, the lots (300 and 500 acres) are now unappropriated; prays that these may be granted to him. 10

...ber 6. ...n- Opinion of Council (Jackson) on bills passed in Nova Scotia in June, 1777. R. 50, B. T. N. S. vol. 27

...ber 10, ...s. Massey to Secretary of State (Germain). He and Arbuthnot formed a plan for taking post at the entrance of the St. John River; the Brigade Major (Studholme) sent with a frame blockhouse and four six-pounders, Studholme being sent at the request of the inhabitants. This plan had frustrated that of the rebels, who had every thing prepared at Machias under the command of one Allen. Studholme has his post in a complete state of defence; Crabtree landed men out of an eight-gun vessel to destroy the settlement, but fled when he heard Studholme was there. The audacity of the pirate vessels; one Leech has made £10,000 by capturing merchant vessels off the coast; has pointed out to the Lieut.-Governor that so long as the retaken ships are sold here, the rebellion cannot be brought to an end, for they are immediately bought up and sent on the same wicked plan. Asks for letters of marque; with these he can keep the Bay of Fundy safe. Regrets that Arbuthnot does not still command the navy; if he did, these trifling pirates could not have appeared on the coast without meeting their deserved fate. Burgoynes'

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misfortune has raised the spirits of the disaffected; had Lord Howe's plan been followed, that no heavy baggage or artillery would be carried, he would have got safe to Albany. Detachments sent to alarm the Eastern coast, so as to keep the people from joining the main body. How the rebels are supplied; Binney, Newton's deputy, seems well inclined to help them. The protection that would be afforded by the employment of small armed vessels. Col. Cor. N. S. vol. 13, p. 14

December 11, Whitehall. Secretary of State (Germain) to Arbuthnot. Dispatches received. The pay to the militia was reasonable; he shall represent it to the Treasury, so that he (Arbuthnot) may be reimbursed. Is glad to hear that a check has been put on the preparations for attacking the Province, had the land and sea force co-operated, greater success would have been attained. Col. Cor. N. S. vol. 11, p. 247

(Copy is in Col. Off. N. S. vol. 1, p. 260.)

December 16. Memorial from Sir Herbert Macworth and the Acadia Company, that the company is formed to improve and cultivate lands in Nova Scotia, the sum of £20,000 has been subscribed and the rights to 40,000 acres purchased; grant of Isle Madame prayed for. S. 1, B. T. N. S. vol. 28

December 23, Halifax. Arbuthnot to Secretary of State (Germain). Owing to the accident to Burgoyne, he has applied to Massey and Collier to remove the rebel prisoners, about 1,400, the whole force for the protection of the Province "consists of no more than 600—Marines without grenadiers, 400 Highlanders under the command of Major Small, an officer of distinguished "merit, &c. The other two, Goreham's and Legge's, very young and very "incomplete and I presume not to be reckoned upon." (It will be seen that the statement of the force is very obscure, it might be 600 in all, including marines and the two young corps; or 1,000 excluding the latter, and taking the usual number at 100, would give 1,200 as the total. In letter from Arbuthnot on the 1st January, 1778, the number of marines is given as 400 and of Highlanders 400, no notice being taken of the two young corps, so that it is possible the force consisted of 800 regulars and 200 Provincials. No information on this point could be obtained from the monthly returns of the War Office, or from the Army Lists of the year, reference to both of which was made). Hopes the security of the Province will be provided for in the spring; has made a requisition on Collier for two frigates to winter at Annapolis, and two at the mouth of the St. John River against the rebels at Machias, who are constantly harrasing the frontier settlers. If he had the direction of three small vessels of 12 guns and 50 or 60 men each, he would be answerable for the protection of the trade. Col. Cor. N. S. vol. 13 p 17

1778.

January 1, Halifax. Same to the same. Introduces Major Small, who can give a particular account of the situation of the Province, and the necessity of establishing a post at the mouth of the St. John River. The Highland Corps consists of 400 very fine men, all the regular force in the Province except 400 marines. 20

January 4, Machias. Commission to Captain Jack Quevrey to be lieutenant of Indians, enclosed in letter from Hughes to Germain of 16th January 1779, which see.

January 15, Halifax. Gibbons, Solicitor General, to Lords of Trade. In anticipation of disputes, arising out of the escheats and regranting of lands, sends state of the proceedings before the Commissioners, with a proposal for a remedy. S. 8, B. T. N. S. vol. 28

Enclosed. "A brief account of the present mode by which lands in Nova Scotia are taken from the original grantees for non-performance of the condition of their grants, and regranting the same to others, together with an humbly proposed amendment thereof." S. 9

1778.
January 16, Halifax. Arbuthnot to Secretary of State (Germain). Sends report of the trial of two seamen charged with and convicted of murder; it having appeared to the Court that the deed was committed in self defence they have been respited, and are recommended to mercy.

Col. Cor. N. S. vol. 13. p. 22

Extract from the proceedings at the trial of Thomas Shearer and Timothy Butler for the murder of Thomas Evans on the high seas. 23

(The evidence shows that Evans had attacked Birch, the prize master of a captured sloop, and ordered the two prisoners to throw him overboard, declaring he was master and that if they did not obey he would kill them. Next day he headed the sloop for the New England coast, intending, he said, to carry her to the first American port he could make, and there sell her. According to the account of the two men, they were afraid for their own lives and for that of Birch, the prize master, and to preserve them, they killed Evans and threw him overboard, whilst Williams, an American who had been a sailor on board the "Hancock," was asleep, as they could not trust him. They then called up the prize master to take charge, and the vessel was at once steered for Halifax. The trial was by the Court of Admiralty; after pronouncing the men guilty, the sentence continues: "It appearing, from the confession of the prisoners that apprehending themselves and the vessel in danger of being carried to a rebel port and themselves threatened to be thrown overboard they committed the fact for their own preservation)."

January 25, Halifax. Massey to Secretary of State (Germain). Introduces and recommends Major Small, who can give accurate information of the state of the Province. Has had more prisoners than soldiers to guard them, but from the measures taken has not had an hour's apprehension. Small's corps of Highlanders mustered and reviewed; the favourable opinion of it. The great expenditure for the maintenance of Fort Cumberland; would have abandoned it but for 60 loyal Yorkshire families being settled there, as he has formed a post at the entrance of the River St. John, garrisoned by Studholme with 50 picked men. Although Allen has 500 men at Machias, is under no apprehension of Studholme keeping his post. The failure of attacks on Machias; had asked Sir William Howe for a reinforcement so that he could keep the rebel coast in a constant state of alarm; no method will answer until fire and sword have been carried into Massachusetts and the neighbouring Provinces.

Col. Cor. N. S. vol. 13, p. 38

February 23, Quebec. Carleton to Arbuthnot. Enclosed in Arbuthnot to Germain, 8th April, 1778, which see.

February 26, Whitehall. Secretary of State (Germain) to Arbuthnot. His promotion to the rank of rear Admiral removes him from his office in Nova Scotia; no time shall be lost in naming a successor, but he is to remain until the successor shall arrive. Thomas Shearer and Timothy Butler are pardoned as recommended. Agrees as to the utility of small armed vessels for the protection of the coast; has sent a recommendation to that effect to the Admiralty, and that authority might be given to issue letters of marque. DelaRoche's request shall be attended to. A reinforcement of 2,500 men is to be sent in spring; provisions shall be supplied them, but he is to provide for their accommodation. Col. Cor. N.S. vol. 13, p. 41

(Copy in Col. Off. N. S. vol. 1, p. 263).

February 26, Whitehall. Secretary of State (Germain) to Massey. Thanks for his frequent accounts of military affairs; is glad to find that the alarm to the coast of New England has prevented an attack on Nova Scotia. The taking post at St. John appears to be a judicious measure.

Col. Cor. N. S. vol. 13, p. 47

(Copy in Col. Off., N. S. vol. 1, p. 268.)

1778.
March 13, Halifax. Massey to Secretary of State (Germain). Reports all well; hears from Studholme every fortnight; the fort at St. John River is perfectly secure. Reiterates request for small armed vessels. Contraband trade with the rebel Colonies is carried on as much as fair trade is in London. Col. Cor. N. S. vol. 13, p. 51

March 23, Jersey. John Robin to A. & G. Lemprière. The grant of Isle Madame to the Acadian company would make them (the associates of Robin) great sufferers. Description of the islands and growth of settlement; the number of vessels employed in the fishery, &c. S. 10, B. T. N. S. vol. 2

April 1, Whitehall. Secretary of State (Germain). He is to allow 120 chaldrons of coal to be taken from Louisburg for works at Newfoundland. Col. Cor. N. S. vol. 13, p. 49

(Copy in Col. Off. N. S. vol. 1, p. 269).

April 8, Halifax. Arbuthnot to Secretary of State (Germain). Has been keeping the Indians in good temper with promise of a priest, but part of those on the St. John River have gone to Machias. Sent an express to Carleton to get permission for Bourg, a missionary, to reside among them; sends copy of answer; this will induce the Indians to return and will involve the renewal of the missionary's salary. Col. Cor. N. S. vol. 13, p. 52

Enclosed. Carleton to Arbuthnot., 23rd February. Bourg has already orders to repair to Halifax to receive instructions for the establishment of his mission. St. John, Micmac and other Indians, came up last summer and were well treated and well pleased; they were told to remain quiet, but if they have acted against this advice, they may feel too late the perverseness of their conduct. He had expected to leave last fall and had no doubt he would do so this spring. 54

April 21, Halifax. Massey to Secretary of State (Germain). Has detached Hierlihy, with as many of the newly raised independent companies as he could muster, to protect the colliery, tools, &c., at Spanish River. Two rebel pirates having intended to destroy everything and fire the works, Captain Fielding, the new naval commander, had a force sent off in 24 hours to defend the place. Hierlihy's force was sent by Clinton to St. John's (Prince Edward) Island, and having been detained at Halifax by the frost, he had employed it in this service. Studholme reports all well at River St. John. Everything going on to his satisfaction at Halifax since the change of naval commanders. 72

May 6, Halifax. Same to the same. On a report from Studholme that a large force is attending at Machias, has sent him a reinforcement, which he is advised has arrived safely, so that the post on the St. John is secure. Has sent a detachment to Cobequid to arrest suspicious persons and preserve the peace of the settlement. 80

May 8, Halifax. Arbuthnot to the same. Dispatches received with circular respecting the disposal of prisoners taken by letters of marque, but he has not yet received authority for issuing such letters. 63

May 18, Halifax. Massey to the same. Has dispatches ready but will not send them by the unarmed victuallers. Writes to say only that he has made such arrangements of the troops that he cannot be attacked without giving a good account of the enemy. Shall send dispatches by Lieut. Howe of the marines. 81

May 23, Halifax. Return of the officers of the Loyal Nova Scotia Volunteers, with dates of their commissions, &c. 56

May 27, Halifax. Arbuthnot to Secretary of State (Germain). Dispatches received with circular, Acts of Parliament, &c.; has not yet received powers for granting commissions of marque, nor dispatches marked 1 & 2. No attempts have been made on the Province since last summer, but the shipping is constantly attacked and between Halifax and Cape Sable the inhabitants are so distressed by depredations that he is afraid the settlements will be abandoned for want of the protection a few troops and some small armed

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vessels could have afforded. In case of a war with France there is every reason to apprehend mischief from the Indians and French Acadians. Has drawn bills for the expense of moving the militia to repel attacks on the frontiers. Col. Cor. N. S. vol. 13, p. 64

30, tehall. Secretary of State (Germain) to Hughes. How the inhabitants of Halifax are to be allowed to supply themselves with coal.
Col. Off. N. S. vol. 1, p. 269

Copy sent to Commander-in-Chief who was desired to cooperate with Hughes. 270

Letter to the Commander-in-Chief to the same effect.
Col. Cor. N. S. vol. 13, p. 57

Copy of instructions to Hughes sent to the Commander-in-Chief. 58

30, fax. Massey to Secretary of State (Germain). Sends dispatches by Lieutenant Howe. On the report of a French war being unavoidable, has fortified the harbour. Is anxious for a company of artillery, as he has only a superannuated lieutenant and 16 men, who were not thought worth being removed. Hopes Hierlihy has protected the colliery but has not heard. All well at Fort Howe; the detachment of Cobequid is of great use. Has as many prisoners as there are men to guard them, but his officers and men are alert. Sends letters found on Pearson and copy of his examination; Parker, who signs the letters, is a clerk with Alderman Harley. Small's account will exonerate him (Massey) in regard to his disagreement with Collier. The true policy was the plan of alarming the New England coast, as shown by the misfortune that had befallen Burgoyne. 82

31, fax. Arbuthnot to the same. Warm thanks for his promotion to the rank of a flag officer. The Assembly to meet on the 6th June, when he would prepare the members for the reception of the Lieut.-Governor, and acquaint him with all that is necessary for the transaction of business. 68

1, fax. List of the members of Council. S. 11, B. T. N. S. vol. 28

1, fax. Arbuthnot to Secretary of State (Germain). Has received notes of the complaints of Lord Howe and the General, of the indiscriminate issue of licenses to vessels ostensibly loaded for New York with rum and molasses. The "torrent of chagrin" against him for refusing such licenses; how the abuse might be stopped by the Commander-in-Chief.
Col. Cor. N. S. vol. 13, p. 70

Enclosed. Extract from letter to Lord Howe on the subject, dated 12th June, 1777. 72

1, fax Arbuthnot to Secretary of State (Germain). Has received dispatch and is impatiently expecting arrivals from England. 73

2, head. Hughes to the same. Has received instructions [respecting fuel for Halifax], with which he shall take particular care to comply. The wind is contrary and blowing fresh, so that there may be time to send further instructions. 60

3, tehall. Knox to Hughes. Sends estimates for 1778. Col. Off. N. S. vol. 1, p. 271

Enclosed. Estimate. 272

(Duplicate in B. T. N. S. vol. 38, p. 499.)

3, fax. Massey to Secretary of State (Germain). Arrival of the "Vulture", with one captain, three subalterns and 44 privates, which has made him happy, as he had been for ten days fortifying all the heights on the report of a French war; shall have 100 guns mounted in ten days, 24 pounders with some 32s. Regrets that Sir William Howe is gone. Return of the "Hope", which escorted Hierlihy's detachment; this had arrived in time to prevent any bad effects at the coal mines. Scouts from the outposts report all well; the "Hope" had destroyed a pirate and brought all her hands. Will leave Hierlihy's detachment at

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the mines, as he (Massey) thinks them fitter for the spade and pickaxe than any other troops he has. Dispatch received approving of the posts he had taken at the entrance of the River St. John. Small will give information of his (Massey's) fatal but favourite plan for alarming the eastern coast of New England, fatal in the sense that if it had been adopted Burgoyne would have effected his junction with the Grand Army had the expedition gone on to Machias, as that would have kept the people there for their own defence, instead of the whole country flocking to attack, when it was known Collier had fled; this severe stroke had roused the whole continent. Col. Cor. N. S. vol. 13, p. 84

June 6, Halifax. Francklin to Secretary of State (Germain.) Had come to Halifax for money to obtain presents to prevent the Indians from attaching themselves to the King's enemies, but finds there are no funds. Emissaries are among the Indians on the Western frontiers, who have so far been successful that at least 200 canoes of the Micmacs are assembled at the Miramichi and others passing daily to join them. Is under great apprehension that they are going to break alliance, and, if so, they may ruin the interior parts of the Province, reducing the capital to great distress; urges that funds should be granted to secure them. The assistance rendered by Massey. 74

June 7, Spithead. Hughes to Knox. Has received estimate of the civil establishment of Nova Scotia. 62

June 11. Address by the Council of Massachusetts to Indians enclosed in letter from Hughes to Germain, 16th January, 1779, which see.

June 30, Halifax. List of members of Council. Col. Cor. N. S. vol. 13, p. 99

List of laws passed in the Session from 6th to 25th June, 1778. 100

July 7, Halifax. Massey to Secretary of State (Germain). Sends this by his Secretary, Lieutenant Throlop, who has been obliged to go to Europe on account of his health. The progress made in the defence of the harbour; Lord Beauchamp assures him of a reinforcement of three battalions. The outposts keep their ground; Fort Howe is of the utmost consequence. Destruction of six pirates in the course of three weeks; had not been able to induce any naval officer before Fielding to undertake so laudable an exertion. 87

July 9, London. George Lemprière to Lords of Trade. Minutes of the application of Sir Robert Mackworth for Isle Madame, submitted to the Merchants of Jersey engaged in the fishery. In consequence of having been disturbed by the Americans, the fishing fleet has been greatly reduced. Under present circumstances they withdraw opposition to Mackworth's application; submits extract from letter to that effect from Robin; leaves the matter to the consideration of their Lordships, but trusts if the application be granted it will be so restrained as to give room to others to fish unmolested. S. 12, B. T. N. S. vol. 25

August 17, Halifax. Hughes to Secretary of State (Germain). Was to-day sworn into the administration of the Province. Col. Cor. N. S. vol. 13, p. 95

August 18, Halifax. Colonel Francis McLean to the same. Arrival of the three regiments in general good health; they are now encamped by order of Massey, who is having barracks constructed for their accommodation. 93

August 18, Halifax. Chief Justice Finucane to the same. Transmits, at the request of the Grand Jury, an address to the King. 96

Enclosed. Address from the Grand Jury of the County of Halifax. 97

August 19, Halifax. Massey to Secretary of State (Germain). Refers to Arbuthnot for account of the defence of Halifax. Arrival of McLean with reinforcements; fears no enemy that can attack Halifax; many of the inhabitants believing the fleet off the harbour was French came to offer their services: the exertions of Fielding. The amount of work by the men in garrison since the 10th May. Sends letter from Haldimand. 103

(By reference to the correspondence in the Archives, Q. 15, p. 219, it will be seen that the letter from Haldimand referred to was dated 4th August, containing reports from Butler of his expedition to Wyoming (p. 220) and the capitulation to him of Forts Wintermont, &c., (p. 225); forwarded to Germain by way of Halifax, there being no direct opportunity from Quebec).

Hughes to Secretary of State (Germain). Arrived this day (19th) and entered upon the administration of the Province (in letter of 17th August, p. 95, Hughes says he arrived on the 16th and was sworn in on the 17th. The Journal of the Executive Council only begins on the 21st, in which no mention is made of Hughes being sworn in.) Has only now time to report the arrival of McLean with reinforcement.

Col. Cor. N. S. vol. 13, p. 116

Same to the same. Extract enclosed in letter from Knox of 8th December, marked S 17, the extract marked S 18; see that date.

Same to the same. Urges that a packet be sent direct to Halifax, owing to the delay in the delivery of dispatches, &c.

Col. Cor. N. S. vol. 13, p. 118

Same to the same. Sends duplicate copies of the laws, with journals and minutes, also estimate for 1779. The allowance of £100 for a priest for the Indians has been restored, the Government of Quebec having provided a proper person. The arrival of the troops has enabled Massey to provide for the protection of the inhabitants. 120

Enclosed. Estimate for the civil establishment of 1779. 123

2, Secretary of State (Germain) to Massey. Dispatches received. Is happy to learn that Studholme has so well secured St. John. Has sent requisition for small armed vessels to the usual department. He (Massey) is to report to Clinton relative to the movements of Hierlihy so that his Lordship has nothing to add on that point. His satisfaction at the report of the strength of Halifax Harbour in event of war with France, which now wants only the form of a declaration. His confidence will be increased by the reinforcements which would probably arrive before this letter. Is exceedingly happy at the service performed by him and Fielding in the destruction of six out of nine pirates. The success that would result from the co-operation of the land and sea forces; the spirited exertions of himself and Fielding have met with His Majesty's approbation. Col. Cor. N. S. vol. 13, p. 89

(Copy in Col. Off. N. S. vol. 1, p. 275).

6, Hughes to Secretary of State (Germain). Arrival of the "Ariel" with dispatches from Howe, leaving the decision as to the detention or departure of the marines to him and the commanding officer of the troops; owing to the French fleet being on the coast and the probability of an attack, it had been resolved to retain the marines.

Col. Cor. N. S. vol. 13, p 112

8, Massey to the same. This letter goes by Lieut. Dodd, sent express by Collier with Admiral Byron's dispatches which he (Massey) was to have taken, having given up the command to McLean. The Marine corps was embarked and was to have sailed on the 6th. Byron, when alone, fell in with the whole French fleet and was chased by two French ships of 74 and 64 guns, but on his shortening sail they declined coming to action. Byron arrived in harbour on 25th August, the "Culloden" had arrived a few days before. They only waited to refit and sailed on the 4th to join Lord Howe, who sent to detain the marines two days after Byron sailed. Has resumed command till he hears from Howe or Clinton. There need be no uneasiness about Halifax. 110

30, Hughes to the same. Strongly recommends Studholm for the services he has rendered the province. 125

29, Same to the same. In consequence of depredations committed on the coast by small armed vessels, which the ships of war could not follow

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into the creeks, &c., owing to their draught of water, he had been
ed to maintain the provincial armed vessel and to draw on the Tre
for her support; asks that the bills he has drawn may be prot
Has received instructions to give permission to supply Newfoun
with coals from Louisbourg. Col. Cor. N. S. vol. 13,

October 3, Halifax. Francis McLean to Secretary of State (Germain.) In consequ
the sailing of Massey the command has devolved on him, but too s
time ago to enable him to report the situation of affairs.

October 7, Whitehall. Secretary of State (Germain) to Massey. Sends duplicate o
September which would inform him of the King's approbation
exertions. The arrival of the reinforcements under McLean is a pl
circumstance; his high reputation led to his being appointed
(Massey) may now obtain the leave of absence he asked for in 1777
King relies on him to give McLean, who is to succeed to the com
all the information necessary.

(Copy in Col. Off. N. S. vol. 1, p. 278).

October 12, Halifax. Hughes to Secretary of State (Germain). Reports a treaty of
concluded on the 24th of September, with the Malicete, Micmac and
michi Indians, who took the oath of allegiance in the most solemn m
and with the usual ceremonies. The advantage of the peace; th
actually sent a declaration of war to Studholm and returned the
flag; the zeal of Francklin, who, with Studholm and Bourg the
effected the treaty. The chiefs on taking the oath returned in
hands of Francklin the presents they had received from Washing
engage them to break their fidelity to the King.

Col. Cor. N. S. vol. 13,

October 14, Halifax. McLean to the same. Sailing of the marines: Clinton wrote t
was sending a reinforcement of two battalions and that the marine
not to leave till these reached; they have not yet arrived. The
still in camp as the barracks are not completed owing to the w
lumber. The troops will be indifferently accommodated this win
there is a want of hospitals. Shall send report of the state of th
vince as soon as possible. Is afraid the intrenchments round Citad
will not be finished before the frost sets in. Want of gunpowder.

October 20, Whitehall. Secretary of State (Germain) to Hughes. The arrival of Par
New York with six ships of the line and the probable junction of
with Howe remove apprehension of an attack on Halifax, so th
marines are to be sent to England.

(Copy in Col. Off. N. S. vol. 1, p. 280).

November 4, Whitehall. Secretary of State (Germain) to Hughes. Dispatches received;
should all be numbered. Owing to the loss of two vessels, it may
possible at present to comply with his wish for a direct packet,
shall be referred to the Post Master General. Massey's cheerful c
ance with measures for the defence of the province is satisfactory.
mate for the civil establishment received; from the prosperous con
of the province assistance might be rendered towards supportin
expense. Arrival of part of the marines; the vessels with the
had parted company in a gale. The King trusts from the strong p
of Halifax that it will not be endangered by their departure. The
sity for an armed cruiser to protect vessels loaded with provisio
fuel; cannot understand why the province cannot defray so sm
expense; the Treasury will signify the decision to him. The
approval of the services rendered by Studholm.

(Copy in Col. Off. N. S. vol. 1, p. 281).

November 11, Whitehall. Secretary of State (Germain) to Hughes. The measures to be
to preserve the health of the rebel prisoners and of the garrison.

Col. Cor. N. S. vol. 13,

1778.
vember 11, Same to McLean. Substantially the same as the letter to Hughes
hitehall. respecting the health of the prisoners and garrison. A small supply of gunpowder sent; a full supply to be provided as soon as the season will permit. Congratulates him on having entered on his command.
Col. Cor. N. S. vol. 13, p. 141
(Copies of these two letters in Col. Off. N. S. vol. 1, pp. 285, 287.)

vember 23, Opinion of Counsel (Jackson) on laws passed in Nova Scotia in June
ndon. 1778. Recommends that the Act for appointing Sheriffs in certain counties be sanctioned, with modifications to be made by a subsequent Act; the Act to prevent forestalling is inexpedient; the others are proper in point of law, unless any of the continued Acts have been repealed. S 13. B. T. N. S. vol. 28

cember 8, Knox to Lords of Trade. Transmits by direction of Germain,
hitehall. letter from Hughes, with copy of estimates for consideration. S. 17

Enclosed. Extract referred to, explaining the cause of the addition of £100. for a priest to the Indians, an allowance which had ceased when the priest who officiated till 1773 returned to Quebec. S 18

Estimate, duplicate, see 29th August.

Estimate. Col. Cor. N. S. vol. 13. p 207

(The second estimate appears to be that made by the Lords of Trade. it is somewhat different in its items from that sent by Hughes on 29th August, the total of which was £4,696. 10. 5 and of this £4,796. 10. 5 the difference arising from the addition of £200 to the salary of the Chief Justice and the omission of £100 for a priest to the Indians. Another copy in B. T. N. S. vol. 38. p. 501).

1779.
nuary 12, State of the provincial troops under McLean at Halifax.
w York. A. & W. I. vol. 605

nuary 16, Hughes to Secretary of State (Germain). Had reported treaty of peace
alifax. with the Indians; the expense was £577. 2. 9 an excess of £477. 2. 9. over the allowance by the Assembly; asks that the Provincial Treasury be relieved of this. Sends copy of treaty between Massachusetts and Indians of 19th July, 1776: this will show the pains taken to debauch the Indians, who had agreed to furnish 600 men to be under the command of Washington; the service of these 600 men is removed from Washington by the treaty. The falling off of the fishery at Canso for want of protection, which can only be given by the employment of vessels such as the rebels use. Asks permission, therefore, to arm and equip two small vessels of from 8 to 12 guns and about 40 men each, by which means he could establish the Canso fishery upon its former footing. Col. Cor. N. S. vol. 13 p. 169

Enclosed. Treaty of alliance and friendship, entered into and concluded by and between the Governor of the State of Massachusetts Bay and the delegates of the St. John and Mickmack Indians. 172

Commission to Capt. Jack Quevrey to be lieutenant of the Indians, dated Machias, 4th January, 1778. 178

Address to Indians by Council of Massachusetts, 11th June, 1778. 179

nuary 20, Hughes to Secretary of State (Germain). Dispatches received; the
alifax. delay in their arrival shows still more the need for a direct packet. 151

bruary 2, Same to the same. Sends minutes of Council and list of members. 154
alifax. *Enclosed.* Minutes of Council. 155

List of members. 168

bruary 3, Hughes to Pollock. Returns packets for Vice Admiral Montagu, who
alifax. had sailed before they arrived. 150

bruary 10, Nesbitt to Secretary of State (Germain). He is willing to resign in
alifax. favour of Brenton, on being secured the salary of the office for life. 185

bruary 10, Brenton to the same. Encloses Nesbitt's resignation of the office of
alifax. Attorney General, in his (Brenton's) favour, on condition that he should have the salary for life. 186

(Duplicate follows.)

1779.
February 16, Halifax. McLean to Secretary of State (Germain). All quiet and, so far can learn, there is no intention to attack the province, but he h means of obtaining information of the movements in New Hamps Massachusetts Bay, whence the attack must come, although Hugh he had tried to establish a method. Has been more fortunate attempt on the one side of the Bay of Fundy, where nothing can without his knowledge. The marines have been replaced by l troops, so that he has a strong enough force to resist attack, b little assistance would be given by the inhabitants. The inconv arising from the separation of his corps. Has made a proposal to for the employment of the force next summer, but has not yet r his orders. Powder arrived, 500 barrels by the "Adamant" barrels sent by Clinton; camp equipage wanted. Asks for perso sideration in event of a reduction of the forces. Col. Cor. N. S. vol. 1

February 21, Halifax. Fenton (Provost marshal) to the same. For leave of absence

February 27, Halifax. Hughes to the same. Sends a statement of the means of reve the amount, as evidence that the province is unable to contribut than at present for the civil establishment, &c.

(Undated, but the duplicate was dated as in the margin).

Enclosed. Resolutions of the Assembly on the estimate for t port of government for one year from January 1779, with a sheet, showing a deficiency of £14,500.

March 4. Lieut. Ferguson to Clinton (?). Endorsed as "most valuable "on the state of Nova Scotia, its defence, wants, &c." They exclusively to New York and southern colonies, no reference bein in them to Nova Scotia. B. M. add. 19071,

May 3, Whitehall. Secretary of State (Germain) to Hughes. Treaty with approved of. The zeal of Francklin fully justifies the propriet appointment as superintendent. Cannot authorize so large an iture as the fitting out of two armed vessels for the protection fishery at Canso would involve: has written to the Admiralty w send instructions to Arbuthnot who has the welfare of Nova greatly at heart; to apply to him for assistance: the treasury approve of him (Hughes) drawing for the expense of the vessel hired. Brenton to succeed Nesbitt as Attorney General, and Ne be vendue master, but without exclusive privileges.

Col. Cor. N. S. vol. 13,

(Copy in Col. Off. N. S. vol. 1. p. 289.)

May 3, Whitehall. Secretary of State (Germain) to Hughes. Has received sta of the revenue, expenditure and debt, as proof of the inability province to bear additional expense. The principal part of t being for internal improvements which should have produced advantage to the province than injury to the revenue, he still thi such a crisis some exertion should be made. Hopes, therefore, represent to the Assembly the propriety of complying with requi for the protection of the trade and fishery. Col. Cor. N. S. vol. 13

(Copy in Col. Off. N. S. vol. 1, p. 291.)

May 3, Whitehall. Secretary of State (Germain) to Franklin. His zeal and add securing the treaty with the Indians approved of by the King. it probable the sea coast adjoining Nova Scotia will be attacked course of the summer, in which case the service of the Indians of importance; to use his influence to this end should it be re The sum of £500 granted for presents to the Indians. He is to his correspondence on the affairs of the Indian Department to bi main's) office or to the King's agent. Col. Cor. N. S. vol. 13,

(Copy in Col. Off. N. S. vol 1, p. 292.)

1779.
y 6,
lifax.

Hughes to Secretary of State (Germain). Had received order to co-operate in measures for the health of the troops and rebel prisoners; also copies of the King's speech and addresses in reply.
Col. Cor. N. S. vol. 13, p. 206

e 9,
itehall.

Knox to Lords of Trade. Sends by Germain's directions memorial of de la Roche, for consideration. S. 21. B. T. N. S. vol. 28

Enclosed. Memorial from de la Roche, missionary, that other missionaries at Lunenburg have had grants of land, and prays that he may have a grant of forfeited land in that township. S. 22

y 1,
itehall.

Lords of Trade to the King. Recommend that a grant of the lands of the late Rev. Mr. Vincent be made to the Rev. Peter de la Roche, missionary, should these lands appear to have been escheated.
B. T. N. S. vol. 38, p. 503

y 8,
lifax.

Hughes to Secretary of State (Germain). The legislature met on the 7th and was prorogued on the 28th of June; sends list of Acts. To prevent the depredations committed on the coast during the absence of the King's ships, the General Assembly has exerted itself to raise £500 for the defence of the coast by a tax on land and an increase of the duty on wine and spirits. Encloses dutiful address.
Col. Cor. N. S. vol. 13, p. 208

Enclosed. Address from the Council and Assembly. 210

gust 2,
lifax.

Hughes to Secretary of State (Germain). Sends Acts and journals of both Houses, minutes of Executive Council and list of members. Dispatches received. 214

Enclosed. List of members of Council. 216

gust 3,
lifax.

Francklin to Secretary of State (Germain). His gratitude for the approval of his conduct; has prepared a statement of Indian affairs for Clinton. The difficulty of prevailing on the Indians to co-operate with the King's troops; had succeeded in obtaining a party to attack a privateer at Cape Breton. The small number that would go with the troops out of the province and the immense expense that would be incurred; the small means at his disposal. A priest from France lately sent by the Congress to inveigle the Indians; Bourg, the missionary from Canada, sent with an agent to counteract the attempt to draw the Indians to attack the King's post at Penobscot. 231

ptember 2,
lifax.

Hughes to the same. Detailed account of the attack on McLean at Penobscot; the efforts made to relieve him; damage by a gale to the fleet sent for this purpose. Arrival of a fleet under Collier, dispersal of the rebels, the whole of their naval equipment taken or burned. Account by McLean of the attack, the landing of men and the raising of batteries, arrival of the fleet and flight of the rebels, &c. 217

Enclosed. Extract from letter from Collier, dated Penobscot Bay, 21st August, giving an account of his arrival to relieve McLean. Of 17 vessels attacking him at Penobscot, two were taken by Collier, the rest were blown up, the total number of guns was 322, besides 24 sail of ships and vessels as transports, all burned, some provision vessels taken. The land forces of the enemy were between 2,000 and 3,000, of whom the loss was between 400 and 500. The number of the King's troops killed, wounded and missing was 62. 224

Account of Messrs. Watson and Rashleigh for the hire of armed vessels. 228

(Compare these accounts with Haldimand's correspondence on this affair in August, September and October, 1779, among the Archives, Series B., vol. 150, pp. 14 to 31.)

ptember 3,
lifax.

Hughes to Secretary of State (Germain). Dispatches received, with copy of King's speech, &c. Has learned of the birth of a Prince.
Col. Cor. N. S. vol. 13, p. 229

1779.

(The Prince mentioned was named Octavius; he died on the 3rd of May, 1783.)

September 8, Halifax. Francklin to Secretary of State (Germain). Outrages by Indians at Miramichi; seizure of a party of them by the "Viper" and one killed; the well affected Indians satisfied with the arrest, but do not think themselves sufficiently taken notice of. The Indians of St. John have resisted every temptation to join against McLean and have quietly awaited the arrival of Bourg and the agent.

Col. Cor. N. S. vol. 13, p. 23

September 8, Halifax. Lieut.-Col. Bruce to Secretary of State (Germain). Report on the affair at Penobscot. 23

Enclosed. List of the rebel fleet. 24

(Substantially the same as in the extract from Sir George Collier, 21st August, but giving fuller details of the number and weight of the guns, and the addition of the "Humming Bird," with eight four pounders. Instead of the 24 pounders being all burned, as reported by Collier, 18 only were burned and 6 taken, but no mention is made of provision vessels. The name "Warrant" given by Collier is reported as "Warren" by Bruce, and Collier's "Sally" is given as "Charming Sally" by Bruce).

September 10, Whitehall. Secretary of State (Germain) to Hughes. Patterson, disappointed in getting direct to St. John's Island, has taken passage to Halifax in a merchant ship; he is to be assisted to get to St. John's.

Col. Off. N. S. vol. 1, p. 23

September 26, Windsor, N.S. Francklin to Secretary of State (Germain). Has had a visit from Indians residing on the Gulph of St. Lawrence; after conferences they signed a treaty, copy of which he encloses. Hopes to induce some of the merchants to carry supplies at least as far as Fort Cumberland, although it is hazardous, owing to the number of privateers.

Col. Cor. N. S. vol. 13, p. 25

Enclosed. Copy of treaty. 25

October 18, Halifax. Bruce to Secretary of State (Germain). Is sending Capt. Sharpe of the recruiting service, who will answer any questions asked him concerning the province. McLean has not yet returned from Magebaguduce, but is expected every day. 23

October 22, Halifax. Hughes to the same. Sends estimate for the civil establishment for 1780, and memorial from Gibbons, Solicitor-General. 27

Enclosed. Estimate. 28

Memorial from Gibbons for a salary adequate to his services. 29

(See also S 29 B. T. N. S. vol. 28, enclosure in Knox's letter of 7th December).

October 24, Halifax. Francklin to Secretary of State (Germain). Arrival of nine of the Miramichi Indians, who had been sent prisoners to Quebec, and returned by Haldimand; two are kept as hostages, the others have gone home in the highest good humour. Report has been received from St. John that a party of Indian rebels from Machias had taken a vessel about 60 miles above Fort Howe, plundered two or three of the inhabitants and made off. Sends abstract of Indian expense, between 10th June, 1778, and 20th October, 1779, amounting to £1543 2s. 10½d. for which he has drawn on the Treasury. There is also an expense of £150 15s. 10d. advanced by Capt. Hervey, of the "Viper," which he hopes may be paid with his (Francklin's) bill. Part of the amount is to be retained by Cumberland, to repay £682 11s. 6½d. advanced by Hughes. Hopes provision will be made for next year's expenses, which will be as heavy as they have been this year. Col. Cor. N. S. vol. 13 p. 23

Enclosed. Abstract of expenses. 26

October 24, Halifax. Hughes to Secretary of State (Germain). Certifies that the money expended for the Indian department has been actually and faithfully

, and urging that an adequate sum be placed on the estimate for ing year, the circumstances requiring an expenditure equal to this year. Col. Cor. N. S. vol. 13, p. 269

tary of State (Germain) to Hughes. His Majesty's satisfaction at val address from the Council and Assembly; their exertion to raise for defence is an additional proof of their zeal. The activity he Bruce showed to relieve Penobscot does them much honour. McLean already been informed of His Majesty's approbation for his gallant defence until relieved by Collier, who will receive the approbation of the Admiralty. Thanks to the merchants, and especially to Watson and Rashleigh for lending men and ships. The Treasury shall be recommended to honour bills for the expense. 243

(Copy in Col. Off., N. S. vol. 1, p. 295).

Secretary of State (Germain) to Francklin. Sir Henry Clinton will answer questions submitted. Indian presents shipped. Is glad to learn that the St. John Indians withstood the offers of the rebels; to cultivate their good disposition; the victory will facilitate his negotiations. Col. Cor. N. S. vol. 13, p. 246.

(Copy in Col. Off., N. S. vol. 1, p. 297).

4. Secretary of State (Germain) to Bruce. Thanks for his exertions in the relief of McLean. Col. Cor. N. S. vol. 13, p. 248

10. Opinion of Counsel (Jackson) on Acts passed in June, 1779. On Act for securing the goods, &c., belonging to persons who have deserted the Province to join the rebels, points out the injustice of some of its clauses; objects to the Act for laying duty on tonnage, freeholders being exempted from the full operation of the law. The other Acts are proper in point of law, unless in case of the by-laws for governing the markets power should be assumed to regulate prices; in that case it should be repealed. S. 24, B. T. N. S. vol 28.

19. Hughes to Lords of Trade. Dispatches received; the directions contained in them shall be attended to. S. 32

19. Same to Secretary of State (Germain). Has received circular with declaration of war with Spain, and other papers. Has received power from the Admiralty to issue letters of marque against the subjects of the King of Spain, copies of the grant for the civil establishment and of Acts relating to America. Col. Cor. N. S. vol. 14, p. 5

21. Same to the same. The presence of d'Estaing with 26 sail of the line and 14 frigates, threatening an attack on the province, induces him to send account of its condition and that of the garrison for defence. The withdrawal of 1,200 troops has left only 1,400, exclusive of the outposts, which cannot be withdrawn at short notice, and artillerymen not exceeding 100. The chief part of the force consists of foreign troops, and when the batteries are manned, requiring 800 men, only 600 will be left to oppose a landing; there are about 300 militia, but little dependence can be placed on them they are so scattered, and some of very doubtful principles. The naval force consists of one frigate of 28 guns, now careening, but ordered to return to New York when refitted, one sloop of war of 18 guns, two armed schooners of 14 and 10 guns. There is, besides, the "Pembroke" hulk, which he would try to use as a floating battery, with 24 and 12 pounders. Will endeavour, in event of an attack, to defend the place to the utmost and, not knowing the motives for the withdrawal of the troops, does not mean to call them in question. Has informed Arbuthnot fully of the state of affairs. Cannot do anything for defensive works till spring, but then will apply to the commander of the forces for immediate attention to such works as may frustrate an attack. 1

30. Treasury to Lords of Trade. Transmit, for consideration, memorial from Watson & Rashleigh, respecting the enforcement of an old law in

1779. Nova Scotia, laying a duty of 10d. a gallon on rum and other spirits not the growth or produce of Great Britain and imported thence direct.
S. 25. B. T. N. S. vol. 2

Enclosed. Memorial, with affidavit from Robert Grant & Co., that they had landed rum at Halifax, without any duty being charged. S. 2

December 4, Whitehall. Secretary of State (Germain) to Hughes. Despatches received. Cannot recommend any salary to Gibbons; if employed on public business, the province, as is the custom in all the others, should pay him. Nor can he recommend a sum in the estimate for Indian expenses, beyond the £300 for Francklin's salary as agent. The province should, as heretofore, pay these expenses, or if the commander-in-chief desire the services of the Indians, application should be made to him for payment.
Col. Cor. N. S. vol. 13, p. 272

(Copy in Col. Off. N. S. vol. 1, p. 299.)

December 4, Whitehall. Secretary of State (Germain) to Francklin. Despatches received with treaty made with the Indians on the Bay of Chaleurs and account of expenses for the Indians from June, 1778, to October, 1779. A good understanding with the Indians on the Gulph of St. Lawrence to be cultivated and the chastisement given them by Capt. Hervey should induce them to behave well for the future. It was not intended when he was appointed agent that any allowance was to be made except the £300 for his salary. The £500 was a reward out of the King's bounty for those who had renounced alliance with the Congress and not a stated allowance. Military services are to be paid for by the Commander-in-Chief.
Col. Cor. N. S. vol. 13, p. 275

(Copy in Col. Off. N. S. vol. 1, p. 302.)

December 7, Whitehall. Knox to Lords of Trade. Transmits for consideration, by the direction of Lord George Germain, estimate for the civil establishment of Nova Scotia, memorial of Gibbons and copy of the Lieut. Governor's letter transmitting them. Sends also duplicates of Quebec Executive and Legislative Councils.
S. 28 B. T. N. S. vol. 2

(For enclosures see letter from Hughes of 22nd October, 1779.)

December 15. Whitehall. Lords of Trade to Hughes. Point out the defects in the law for securing all the goods, &c., of persons deserting the Province to join rebellious subjects in the other Colonies, by which innocent purchasers may be injured and desiring him to have an amending Act passed. To send returns of the quantity of British spirits imported into Nova Scotia for a number of years, before they can make any report on the memorial of Watson & Rashleigh respecting the duty on West India rum charged to them.
B. T. N. S. vol. 38, p. 503

No date. Remarks by Charles Morris concerning the property of the Province of Nova Scotia and the lands adjoining thereto, commonly called Sagadehock and the Duke of York's property.
Col. Cor. N. S. vol. 13, p. 278

(A very condensed summary of proprietorship from 1620).

1780. *Enclosed.* Outline map of the territory. 287

January 20, Whitehall. Lords of Trade to Treasury. In reference to the memorial of Watson & Rashleigh respecting the duty on rum charged to them in Nova Scotia, transmit extract from letter to Hughes.
B. T. N. S. vol. 38, p. 510

(The letter to Hughes, from which extract was sent, is dated 15th December, 1779, which see).

February 1, Halifax. State of His Majesty's regiment of Loyal Nova Scotia volunteers commanded by Legge.
Col. Cor. N. S. vol. 14, p. 54

List of the men enlisted (names all given). Total enlisted, 568; deserted, 92: remaining, 476. No numbers are attached to the names of the deserters. 57

Estimate for the civil establishment for 1780. 58

1780.
rnary 15, Secretary of State (Germain) to Hughes. Since the defeat of the
itehall. French and rebel land forces at Savannah, d'Estaing's fleet has separated, some of the vessels have returned to Europe in bad condition; two have taken shelter in Chesapeake Bay, where he trusts Arbuthnot has taken or destroyed them; others have returned to the West Indies in great distress. The naval superiority is so great that no immediate attack is to be apprehended, but as a considerable fleet and a large body of land forces are preparing at Brest—watchfulness is required. Is glad he has taken measures for the defence of Halifax, which is of so much importance as the destruction of the naval stores there must always be considered an object by the enemy. Col. Cor. N. S. vol. 14. p. 7

(Copy in Col. Off. N. S. vol. 1, p. 304.)

rch —, Hughes to Secretary of State (Germain). From the difficulty of ob-
ifax. taining provisions for the Indians, applies for His Lordship's assistance, McLean having refused to furnish them without orders. The importance of preserving the friendship of the Indians by this means, leads him to ask that orders may be sent to McLean to that effect. Transmits memorial from the merchants of Halifax respecting Watson & Rashleigh's ships, the prayer of which he recommends. Col. Cor. N. S. vol. 14, p. 44

Enclosed. Memorial against the impressment of seamen on board Watson & Rashleigh's armed ships the "Admiral" and "St. Lawrence." 48

rch 24, Secretary of State (by Thomas de Grey, Junior) to Hughes. Is send-
itehall. ing information to the governors and commanders by sea and land, whose stations would be most affected by the destination of the French armament now fitting out to push the war with full strength in America, the attempted invasion of Great Britain being abandoned. The measures to be taken for defence in case of attack indicated but not given fully on account of the uncertainty of the conveyance. 181

rch 27, Attorney General to Deputy Commissary General. Demand for pay-
ifax. ment of duties on rum.

(Enclosed in McLean's letter of 20th November, which see).

rch 28, Secretary of State (Germain) to Hughes. Sends duplicate of letter
itehall. from de Grey of the 24th, which shows the designs of the enemy. Has no doubt he and McLean will take every step to prevent surprise and to make a vigorous defence till succour arrive, which Arbuthnut will be put into a condition to afford; he is to send notice at once to Arbuthnot of the appearance of the enemy and if there is reason to suppose he intends to go to Quebec, word is to be sent to Haldimand by land and sea; the letters for him are duplicates, which are to be forwarded the same way. Col. Cor. N. S. vol. 14, p. 185

y 4, Francklin to Secretary of State (Germain). Indian presents not arrived
dsor. and no answer from Clinton to application for the issue of provisions and other articles, which McLean declines to furnish without orders. It has always been the practice in time of peace to assist the Indians with provisions; that is now essentially necessary. The inhabitants of St. John River have entered into a contract with Hughes to supply masts for the navy; has prevailed on the Indians to protect the workmen thus employed, who have hitherto been unmolested, although the rebels at Machias threaten to destroy the sticks already cut and have tried to get the Indians to join them; the value of the friendship of the Indians at present. Laments the non-arrival of presents and the uncertainty respecting the provisions for paying the expenses connected with Indian affairs. 51

y 6, Hughes to the same. Dispatches received; thanks for the approbation
ifax. of his and Bruce's conduct in relieving McLean. The expenses for the Indians; the important services for which they were incurred. Sends minutes of Council and list of members. 10

1780.

Enclosed. Minutes of Council from 2nd July, 1779, to 11th M
1780. Col. Cor. N. S. vol. 14,

List of members.

May 8, Halifax. Hughes to Secretary of State (Germain). Dispatches receive
account of the disaster to d'Estaing after the defeat at Savannah,
the preparation of a fleet at Brest. Has also received *Gazette*,
account of Rodney's success on the coast of Spain.

May 8, Halifax. Rev. Joseph Bennet to Lord Carlisle. Asks his Lordship's inf
towards obtaining payment of his claim, which has been recomm
by the Governor in Council, whose minute he encloses.
S. 37, B. T. N. S.

Enclosed. Minute.

May 9, Halifax. Hughes to Lords of Trade. Shall take care that no injury sha
pen to unsuspecting persons purchasing from the ill designing, an
propose a clause to that effect at the next meeting of Assembly,
return of importation of British sprits for the last seven years.

Enclosed. Return of rum and other spirits imported into Halifa
1st January, 1772, to 1st May, 1780. From 1772 to 1775, the
shows no importations. In 1776, there were 875 gallons, in 1777,
in 1778, 610, in 1779, 35,159, and in 1780 (to 1st May) 32,982.

May 10, Halifax. Hughes to Lord Carlisle (President of Lords of Trade). R
mends Bennet for His Lordship's favour and protection.

May 13, Halifax. McLean to Secretary of State (Germain). This is the first oppor
he has had to acknowledge letter of 1st May, 1779. Thanks for p
of support. Would have extended operations to Falmouth, but
inadequacy of the force and directions of Clinton.
Col. Cor. N. S. vol. 14

May 13, Halifax. Same to the same. Since writing from Penobscot on the 26th A
has had no opportunity of reporting proceedings to him (Germai
had done so to Clinton. After strengthening the fort he retur
Halifax having left the 74th (600 men) under Campbell to garri
Thanks for the King's approbation, just received. Is preparing
ward the dispatches to Haldimand. Will do all he can to defeat
tentions of the enemy, but his whole force is 500, to defend an ex
coast, besides posts and batteries separated by the harbour. The
force consists of the "Robust," repairing and under orders to sa
frigate and one sloop, not sufficient to clear off an amazing num
privateers which are continually hovering about. Word receiv
provisions for ten months have arrived at Penobscot.

May 14, Halifax. Hughes to the same. Sends letters received from Haldimand for
mission by way of New York, but, there being no opportunity, fo
them by Watson & Rasheigh's ship "Adamant."

(For correspondence between Haldimand and Hughes, Studho
see Archives, Series B, vols. 149 and 150; the letters and disp
between Quebec and the Secretary of State, were sent by cour
Studholm at Fort Howe, who forwarded them to their destination,
to Halifax for transmission to London, or to the Governor at Que

May 16, Halifax. Deputy Commissary General to Treasury, respecting duties e
on rum for the troops, enclosed in McLean's letter of 20th Nov
which see.

May 18, Windsor. Franklin to Secretary of State (Germain). The necessity of s
the services of the Indians; asks that the Treasury be desired t
the expenses. Col. Cor. N. S. vol. 14

May —, Walthamstow "A general state of the Country lying between Falmouth in
"Bay and the river St. Croix, the boundary of Nova Scotia, be
"Eastern part of the Province of Massachusetts Bay, with some r
"thereon." Col. Cor. N. B. vol. 1

1780.

(The report contains a proposal for an attack on the settlements on the Penobscot, &c., and speaks of the design of the inhabitants of the Eastern part of Massachusetts to establish a separate Province).

26, tehall. Secretary of State (Germain) to McLean. Sends this letter by Capt. Murdoch McLean, of the 84th Regiment, whom he recommends.
Col. Off. N. S. vol. 1 p. 306

27, tehall. Lords of Trade to Hughes. To send an amended return of the rum and spirits imported. B. T. N. S. vol. 38 p. 515

29, ifax. Attorney General to Deputy Commissary General. Renewed demand for payment of duties on rum.

(Enclosed in McLean's letter of 20th November, which see).

5, tehall. Secretary of State (Germain), to McLean. Was happy to receive his dispatches, being the first account of his arrival; the danger to Halifax; although the force is diminished he believes he will still have sufficient to prevent de Ternay's force from making a conquest. Clinton's success in Carolina; hopes he may soon be able to turn his attention to McLean's quarter, where he (Germain) would be glad to see a larger force which could be used to advantage. The Indians may be supplied with provisions when employed under his (McLean's) directions, or those of the Commander-in-chief.
Col. Cor. N. S. vol. 14 p. 59

(Copy in Col. Off. N. S. vol. 1 p. 311).

7, tehall. Secretary of State (Germain) to Francklin. He would find by letter of 4th December, 1779, no doubt received since the 4th May, that no provision is to be made for Indian expenses in Nova Scotia, besides his salary. McLean has been instructed to furnish rations to Indians coming to Halifax or outposts, when the business is material, or they are employed in the King's service, but visits should not be encouraged and frequent visits are not necessary. The possession of Penobscot must give settlers on the Bay of Fundy security and Arbuthnut will, he hopes, be able to spare a naval force for their protection from the enemy's cruisers. The exchange by traders of goods for peltry will be a better means of supplying the Indians, than encouraging their natural indolence by frequently giving them presents.
Col. Cor. N. S. vol. 14, p. 226

(Copy in Col. Off. N. S. vol. 1, p. 313.

7. tehall. Secretary of State (Germain) to Hughes. Dispatches received with enclosures from Haldimand. The reductions of the grant for contingencies does not allow of the sum under that head being applied for Indian expenses, which must now fall upon the province. Orders sent to McLean defining the occasions on which rations are to be given to the Indians. The security obtained by the possession of Penobscot. Has transmitted to the Admiralty the memorial from the merchants of Halifax on behalf of Watson & Rashleigh. (For memorial see letter from Hughes—March). Has long esteemed Watson & Rashleigh for their public spirit; is glad to have his opinion confirmed by the memorial.
Col. Cor. N. S. vol. 14 p. 229

(Copy in Col. Off. N. S. vol. 1 p. 307.)

7, ifax. Deputy Commissary General to Treasury. Further about duties on rum for the troops.

(Enclosed in McLean's letter of 20th November, which see.)

8, ifax. Knox to Governor of Nova Scotia. Sends estimate for 1780.
Col. Off. N. S. vol. 1, p. 309

Enclosed. Estimate. 310

10, ifax. McLean to Secretary of State (Germain). The Province still tranquil; the troops in high spirits, and carrying on the works of defence.
Col. Cor. N. S. vol. 14, p. 63.

1780.

July 11, Halifax. Hughes to Secretary of State (Germain.) Has received dispatches notifying the designs of the enemy. In conjunction with McLean, he is taking measures of defence; has employed the militia on the fortifications and drawn on the Treasury for the expense. The dispatches for Haldimand were forwarded by land and the duplicates by one of the sloops of war. Col. Cor. N. S. vol. 14, p. 6

August 14, Whitehall. Samuel Martin to Secretary of State (Germain). Halifax safe, being prepared for expected attack by the French fleet. Report of an action between Knyphausen and the rebel army at Elizabethtown; great slaughter, the royal army victorious, but there are different accounts. Arrival at Quebec of flour and molasses, which were engaged by Haldimand for the garrison. Many rebel privateers in the Gulph to intercept vessels loaded with molasses from Surinam. The good qualities of Haldimand, who is fortifying Quebec, so that it will soon be impregnable; account of the works carrying on. Provisions greatly needed at Quebec. How the supplies might be sent, &c.
A. & W. I. vol. 597, p. 217

(On the expected attack on Halifax, see report on Canadian Archives for 1888, series B 149).

August 21, Treasury. Treasury to Lords of Trade. Transmit for consideration, memorial of Watson & Rashleigh for a reconsideration of former memorial for relief from the duty of ten-pence per gallon on rum charged them.
S. 35, B. T. N. S. vol. 2

Enclosed. Memorial, containing memorial from their agent at Halifax. S. 3

(The original referred to was sent by the Treasury to the Lords of Trade on 30th November, 1779, which see.)

August 22, Whitehall. Lords of Trade to Treasury. Have directed Hughes to make an amended return of rum and spirits imported; until that is received their lordships can form no opinion on the subject of Watson & Rashleigh's memorial. B. T. N. S. vol. 38, p. 516

September 6, Whitehall. Secretary of State (Germain) to McLean. His satisfaction at the measures of defence taken. The French armament has arrived at Rhode Island, and as Graves must soon after have joined Arbuthnot's fleet, flatters himself that the enemy will not only be prevented from undertaking anything against the King's possessions but receive a severe blow.
Col. Cor. N. S. vol. 14, p. 67

September 6, Whitehall. Same to Hughes. Similar but not identical with the letter of same date to McLean, with the addition that it is proposed next spring to erect a new Province between the rivers Sawaka (Saco) and St. Croix. 277

(Copy in Col. Off. N. S. vol. 1, p. 314.)

September 16, Halifax. Deputy Commissary General to Treasury. Continuation of correspondence respecting duties on rum for the troops.

(Enclosed in McLean's letter of 20th November, which see).

September 23, Halifax. McLean to Secretary of State (Germain). Every thing quiet as at the date of his last letter. A fortnight ago Arbuthnot was cruising off Block Island with all his line of battle ships but the "Raisonnable"; the French fleet was at Rhode Island where their troops were fortifying.
Col. Cor. N. S. vol. 14, p. 69

October 29, Halifax. Hughes to the same. Dispatches received, with notification of the sum voted by Parliament for the civil establishment for the year. 170

November 3, Halifax. Journals of Legislative Council from 9th October to date in the margin. 99

Journal of Legislative Assembly for the same period. 125

November 7, Halifax. Hughes to Secretary of State (Germain). The legislature ended the session on the 2nd (3rd); sends titles of Acts and estimate for 1781. Circular and other documents received. 171

1780.

Enclosed. Estimate. Col. Cor. N. S. vol. 14, p. 173
List of laws passed in session from 9th October to 3rd November. 175
(There is another list sent in letter of 15th, but it is not complete.)

November 7, Halifax. Hughes to Secretary of State (Germain). Enclosed in letter from Thompson of 25th January, 1781, which see.

November 13, Halifax. Same to Lords of Trade. Sends return of rum and British spirits, imported from Great Britain, the West Indian islands and British Colonies from 1772 to the present time. S. 43, B. T. N. S. vol. 28

Enclosed. The return, which shows a total importation of 15,255 gallons of British spirits and 575,397 of rum from all sources, a total in nine years of 590,652 gallons, as against 72,353 shown in the previous return of May, 1780, which only gave the imports from Great Britain.

A note by the Collector on the return says: "A great quantity of "these liquors have been again reshipped for exportation and British "spirits are exempt from the impost duty." S. 44

November 13, Halifax. McLean to Secretary of State (Germain). Dispatches received, he is fortifying Halifax, so that in spite of the small garrison it would, if attacked, be a dear conquest. His gratitude for the expression of a wish that he should have a larger force and a more extensive command; hopes that, when the service permits, Clinton may honour him with such a force and commission. All quiet at Fort George on the Penoboscot. Dispersal of the fleet for Quebec by bad weather; the King's ships with seven victuallers put into Halifax after in vain attempting the St. Lawrence, but he does not know what has become of the remainder. The remittance of £63,000 sterling for Quebec landed here. Provision ships, intended for Quebec, sent to Clinton. Shall obey instructions respecting the Indians. If Major Craig should go to London, he can answer inquiries about the Province and Penobscot. Col. Cor. N. S. vol. 14, p 146

November 13, Halifax. Same to the same. Asks his services to procure him an allowance in event of his regiment being reduced. 158

November 15, Halifax. Hughes to the same. Sends copies of Acts. 178

Enclosed. List of Acts. 179
(Duplicate of that sent on the 7th, but not complete.)

November 18, Halifax. Deputy Commissary General to Treasury, respecting the duties on rum, enclosed in McLean's letter of 20th November, which see.

November 20, Halifax. Hughes to Lords of Trade. Recommends for favourable consideration the case of Jonathan Binney, into the merits of which he had been directed to inquire. S. 62, B. T. N. S. vol. 28

November 20. Minutes of Executive Council from 17th April to date in the margin. Col. Cor. N. S. vol. 14, p. 71

November 20, Halifax. McLean to Secretary of State (Germain). Sends correspondence respecting the duty on rum intended for the use of the garrison. 149

Enclosed. Deputy Commissary General to Treasury, 16th May, respecting the duty on rum for the troops. 151

Same to the same, 7th July, on the same subject. 153

Same to the same, 16th September, that he had been obliged to give bond for payment of the duties. 154

Demand, 27th March and 29th June, by the Attorney General, for the payment of duty on rum for the troops. 155

Deputy Commissary General to Treasury, 18th November. As the bond for payment of duties was to be enforced, he had complied with the demand for additional bond, the same as that of the merchants. 157

November 21, Halifax. Francklin to Secretary of State (Germain). Letter received; his exertions to avoid expense for the Indians consistent with the safety of the King's masts and humanity to the hostages. The masts are safe at Fort Howe, and the hostages returned. Has communicated to McLean the order respecting provisions to the Indians; some will be wanted by those coming to Halifax, but he shall discourage frequent meetings.

1780. The disposition of the Indians has been very tranquil since the meeting on 27th June, when 300 fighting men, besides 600 women and children assembled. The deputies of various tribes desired the Indians of Nova Scotia to withdraw from alliance with the Americans, on which they had all withdrawn from Machias, but lately a French priest had arrived there (Machias) from Rhode Island, with some young gentlemen from France, bringing belts, medals, etc., sent by the French General; is afraid of the consequences. Hughes has assisted to defray the expense connected with the Indians; prays that the portion unliquidated may be settled by the Treasury; no expense shall be incurred for the future without express orders; the presents have not yet arrived.
Col. Cor. N. S. vol. 14, p. 162

Enclosed. Speech to the Indians of the Eastern department, signed:—"John Allen, Col. Sup. and Commander-in-Chief Indian Eastern Dept. "Headquarters, Machias, 28th September, 1780," addressed to the Maresheet (Malecites) Indians. 166

November 22. Copy (in English) of the oath of allegiance.
B. M. add; 19071, fo. 263 b.

November 22, Halifax. Hughes to Secretary of State (Germain). Arrival of a cargo of masts for the navy; acknowledges the assistance towards this by Studholme commanding at Fort Howe. Col. Cor. N. S. vol. 14, p. 165.

December 13, London. Memorial of Charles Francis Baillie, late missionary to the Indians, for payment of his salary for the years 1774 and 1775.
S. 40, B. T. N. S. vol. 38

December 31, Treasury. Treasury to Lords of Trade. Transmit for consideration four letters from the deputy commissary in Nova Scotia respecting a demand made for duties on rum and molasses imported into that province for the use of the troops. S. 45, B. T. N. S. vol. 38

Enclosed. Correspondence relating to the demand. S. 46 to S. 57

No date. Memorial from William Shirreff for the pay of his late father, appointed Judge Advocate of the forces, Annapolis Royal, in 1718, without salary; on the recommendation of a Board of General Officers, a new commission was issued in 1730, with a salary attached, the arrears of which amount to £2,774 sterling. (In the body of the memorial, Shirreff, the memorialist, states he has served for 25 years; his first commission, so far as can be traced, was dated 25th June 1755. So that the probable date of the memorial is 1780). An extract from the report of a Board of General Officers, on the petition of William Shirreff, of 10th July 1730,, is enclosed. Dartmouth Papers.

Estimate for the civil establishment of Nova Scotia for 1781,
B. T. N. S. vol. 38, p. 518

1781. (Duplicate in Col. Cor. N. S. vol. 14, p. 244).

January 15, London. Memorial of John Fenton, Provost marshal, Nova Scotia, praying that the Act providing an annuity for him of £100 during life, may be assented to and enclosing those parts of the proceedings of the Assembly which relate to the resolution of the House respecting it.
S. 41, B. T. N. S. vol. 38

Enclosed. Portion of the printed journal and votes of the Assembly. Only the first paragraph of the proceedings of Saturday, 14th October, and the first paragraph of the proceedings of the 21st, beginning: "The Order of the Day," down to "humbly recommend him to his Majesty's Favour,' relate to the memorial. S. 42

January 23, Halifax. McLean to Secretary of State (Germain). The province perfectly tranquil. Col. Cor. N. S. vol. 14, p. 207

January 24, Whitehall. Lords of Trade to the King. Recommend that assent be given to Act to empower the Governor, Lieut.-Governor or Commander-in-Chief to appoint sheriffs. B. T. N. S. vol. 38, p. 520

January 25, Whitehall. Thompson to Lords of Trade. Transmits for consideration, by direction of Lord George Germain, two Acts of Nova Scotia passed last session,

1781. list of laws passed, estimate for the civil establishment and duplicate of letter from Hughes. S. 58, B. T. N. S. vol. 28

Enclosed. List of Laws.

Estimate. (The list and estimate are duplicates of those sent on 7th November).

Hughes to Secretary of State (Germain), of 7th November, 1780. Has reserved two of the Acts, one for raising £1,500 by lottery for building a public school, the other to limit the duration of Assemblies. S 61

ruary, 13. Memorial from William Lovegrove, complaining of the injustice done to him in Nova Scotia and praying for relief. Encloses a certificate from Legge, late Lieut.-Governor, that the lands in question had been granted to him (Lovegrove); rough plan of the lands and certified copy of petition to the chief justice of Nova Scotia for right to appeal against an unjust award. S. 64, S. 65

ruary 13, itehall. Lords of Trade to Knox, Under Secretary. How the question of the duties on the imports of rum and molasses for the forces in Nova Scotia can be settled. Col. Cor. N. S. vol. 14, p. 187

bruary 13, itehall. Lords of Trade to Treasury. Recommend that to meet the complaint of the Commissary General, the Lieut.-Governor of Nova Scotia be instructed to recommend the Assembly to amend the Act imposing duties on the import of rum, &c., so as to exempt articles imported for His Majesty's troops, taking the precaution to provid against malpractice in this respect. B. T. N. S. vol. 38, p. 522

bruary 13, itehall. Same to Knox, Under Secretary. On the same subject and to the same effect as letter to the Treasury of same date immediately preceding. 525

bruary 13, itehall. Same to Treasury. Their Lordships cannot recommend, in view of the circumstances of the West Indian Islands, that rum imported into Nova Scotia by the circuitous route by Great Britain should be placed on a better footing than rum imported direct. 528

bruary 14, itehall. Same to Lovegrove. The complaint of his being dispossessed of his land does not come within their province. If he has charges to make against the servants of the Crown in Nova Scotia, they shall be taken into consideration in the usual way. 531

bruary 20. Memorial from Lovegrove, additional to the one previously presented against the Chief Justice. S 66. B. T. N. S. vol. 28

Another memorial prays for assistance to support him while in London. S. 67

bruary 20, itehall. Secretary of State (Germain) to Francklin. Is happy to find there has been no interruption to the cutting of masts on the St. John, and that a cargo had arrived at Halifax. Although no provision has been made for services not directed by the Commander-in-Chief, yet he has been instructed to supply whatever is necessary for the execution of every measure he directs. Is still of opinion the province should defray all Indian expenses not connected with military operations, but to prevent the loss falling upon him for money expended, for which he could not obtain reimbursement from the Assembly, he has recommended the Treasury to pay the balance. Col. Cor. N. S. vol. 14. p. 201

bruary 22, itehall. Lords of Trade to Lovegrove. His charges against officers of the Crown in Nova Scotia have been sent for answers. When these shall be received, he will be heard in support of his charges. B. T. N. S. vol. 38. p. 533

bruary 23, ner. Legge to Secretary of State (Germain). Calls attention to his losses; two years previously he sent a memorial to the Treasury respecting them. Col. Cor. N. S., vol. 14. p. 190

bruary 28, itehall. Secretary of State (Germain) to McLean. Dispatches received; is happy to find Halifax has been put in a respectable state, being convin-

1781. ced it will be well defended whilst he is in command. Is surprised at the number and expense of the force on the Island of St. John, as it was never intended to have more than 100 men with the militia, the latter force being now reported by Governor Patterson to be 1,000 in number. Clinton has been ordered to send the five companies to Halifax and to order the increase of Calbeck's company of St. John volunteers to 100 men, without additional officers, etc. The injudicious plan of works for the defence of the island; it is to be reduced. Arms sent to supply the volunteers, who are without them. Hopes Clinton will send a large reinforcement, so that possession can be taken of the remainder of Maine, by establishing a post at Townshend or Falmouth in Casco Bay. Sends opinion of the Lords of Trade on the duties on rum, &c., for the troops; has directed the Governor to press the Assembly to make the necessary amendment. Nutting goes out in spring to be employed at Casco Bay; owing to his losses, he is to be continued as overseer of works and surveyor of lumber. Col. Cor. N. S. vol. 14, p. 134

(Copy in Col. Off. N. S. vol. 1. p. 316.)

February 28, Whitehall. Secretary of State (Germain) to Hughes. His pleasure at being informed of the arrival of a cargo of masts from St. John River, as an earnest of what may be expected from a place so convenient to Halifax and all the American stations. The services of Studholm; the letter commending these has been communicated to Amherst. Hamond does not sail till April. Col. Cor. N. S. vol. 14, p. 131

(Copy in Col. Off. N. S., vol. 1, p. 319.)

February 28, Whitehall. Secretary of State (Germain) to Francklin. Is glad to find that there has been no interruption to the people cutting masts on St. John's River; the importance of the service, &c. Col. Off. N. S. vol. 1, p. 33

March 1, Whitehall. Same to Hughes. Sends opinion of the Lords of Trade on the remedy for the expense to the public and the inconvenience to the troops caused by the imposition of duties on rum, &c. Col. Cor. N. S. vol. 14, p. 20

(For enclosed letter, see Lords of Trade to Knox, 13th February.)

March 1, Whitehall. Secretary of State (Germain) to Hughes. Desires him to propose to the Assembly the repeal of the duties on rum imported for the troops. Col. Off. N. S. vol. 1. p. 32

March 1, Whitehall. Lords of Trade to Lovegrove. It is not within the power of their Lordships to grant him the relief he prays for. B. T. N. S. vol. 38, p. 53

March 3, Whitehall. Same to Hughes. Articles imported for the use of His Majesty's forces should be exempt from duty, but this should not apply to articles purchased after importation and for sale. Send copy of complaint by Lovegrove against certain officers of the Crown in Nova Scotia to be answered, giving the complainants and those complained of, access to all public documents necessary to be used in the case. The Act respecting the appointment of sheriffs assented to; the injury done to Fenton by the delay. B. T. N. S. vol. 39, p. 1

March 5, London. Opinion of Counsel (Jackson). No material objection to the Acts passed in Nova Scotia in November, 1780. S. 68. B. T. N. S. vol. 2

March 20, Whitehall. Lords of Trade to the King. Recommend that assent be given to the Act for raising £1,500 by lottery for building a public school at Halifax, and that the Act limiting the duration of the Assembly be disallowed.

April 3, Whitehall. Lords of Committee of Council to Lords of Trade to prepare instructions to the Lieut. Governor of Nova Scotia to dissolve the present Assembly and to issue writs for another election. S. 69, B. T. N. S. vol. 2

April 6, Whitehall. Secretary of State (Germain) to Lieut. Governor of Nova Scotia. To order the delivery of 340 chaldrons of coal from Cape Breton for the use of the troops in Newfoundland. Col. Cor. N. S. vol. 14, p. 19

(Copy in Col. Off. N. S. vol. 1, p. 323.)

1781.
ril 10, Lords of Trade to Committee of Council. Have sent instructions to
itehall. Hamond, directing him to dissolve the present Assembly and to issue new writs. B. T. N. S. vol. 39, p. 10

Instructions. 12

ril 26, Hamond to Lords of Trade. For DesBarres' maps and charts of
ndon. Nova Scotia, S. 70. B. T. N. S. vol. 28

ril 26, Lords of Trade to Hamond. Hughes has received the maps, &c., asked
itehall. for and will, no doubt, hand them over to him (Hamond) on his arrival. B. T. N. S. vol. 39, p. 14

ril 30, Hughes to Secretary of State (Germain). Dispatches received, with
lifax. instructions relating to the duties on spirits, &c., imported for the use of the forces. Sends duplicates of the laws and journals, with list of the Members of Council. Col. Cor. N. S. vol. 14, p. 216

Enclosed. List of Members of Council. 218

ril. 30, Hughes to Secretary of State (Germain). Acknowledges the appro-
lifax. bation of the mast business, as highly flattering to the Province and himself; its importance had struck him on his arrival and he had pursued the task with dilgence. Upwards of 200 sticks are ready for masts, yards and bowsprits; a transport now loading at the St. John is expected at Halifax in June; taking the lead in this transaction will show his zeal. Thanks for attention to his recommendation of Studholm. The arrival of his successor, Hamond, will enable him to return to Europe, when he shall wait on His Lordship. 219

y 2, Additional instructions to Hamond, Lieut. Governor of Nova Scotia.
James's. Col. Off. N. S. vol. 1, p. 324

y 2, Order in Council confirming Act for raising £1,500 by lottery for
James's. building a public school in Halifax. 328

Order of same date, disallowing Act for limiting the duration of Assemblies in Nova Scotia. 330

y 6, Hughes to Secretary of State (Germain). Death of McLean on the
lifax. 4th instant, succeeded in command by Bruce. Has sent word to the Commander in Chief at New York. Col. Cor. N. S. vol. 14, p. 209

y 9, Francklin to the same. Thanks for recommendation to the Treasury
lifax. to pay the balance due him. His satisfaction at the estimate of the importance of providing masts for the Navy, as he had a claim to the merit of the discovery and of first suggesting the idea now carried out. Had called on Bruce, successor to McLean, who was buried this morning; Bruce may be assured that he need be under no apprehension of wanting such support as may be thought advisable. 211

y 9, Secretary of State (Germain) to Hamond. Sends Order in Council.
itehall. Col. Off. N. S. vol. 1, p. 332.

(For Order in Council, see 2nd May.)

y 9, Secretary of State (Germain) to Hamond. Sends instructions to dis-
itehall. solve the present Assembly and to issue writs for a new election. 333

ne 9, Same to the same. Introduces Widmore, going to settle in Nova
itehall. Scotia. 334

ne 25, Address to the King from the House of Assembly respecting the
lifax. duties on wines and other liquors purchased for the use of the Army and Navy. Col. Cor. N. S. vol. 14, p. 265

ne 30, Secretary of State (Germain) to Hughes. The loss sustained by the
itehall. death of McLean; it is a relief that he is succeeded by so able an officer as Bruce. Great confidence is also felt in the zeal and abilities of deSeitz; the information of the death of McLean being sent to Clinton is approved of. Is happy at the success of obtaining a supply of masts, which cannot fail to be productive of important advantages. 222

(Copy in Col. Off. N. S. vol. 1, p. 335.)

1781.

June 30, Whitehall. Secretary of State (Germain) to Bruce. The loss caused by the death of McLean; has no doubt that he (Bruce) whilst in command will do everything necessary for the service and the security of the Province. Col. Cor. N. S. vol. 14, p. 225

(Copy in Col. Off. N. S. vol. 1, p. 337).

June 30, Halifax. List of the Members of Council. Col. Cor. N. S. vol. 14, p. 231

July 5, Halifax. Journal of Legislative Council from 11th June to date in the margin. B. T. N. S. vol. 55

July 7, Halifax. Bruce to Secretary of State (Germain). Reported the death of McLean on the 4th May. The province tranquil. Col. Cor. N. S. vol. 4, p. 236

July 14, Halifax. Memorandum on the powers given by instructions respecting the granting of lands, and asking for Germain's pleasure on recent applications. 234

(There is no date in the paper, that in the margin is endorsed.)

August 3, Halifax. Hamond to Secretary of State (Germain). Arrived on the 30th and was sworn in on the 31st July. Sends Act, journals, minutes and list of the members of Council. 240

August 5, Halifax. Francklin to the same. The presents for the Indians sent in 1779 had at last been discovered, having been reshipped from New York to the Deputy Quarter Master General and detained by McLean, but ordered by Campbell, his successor, to be given over; they will secure the services of the Indians on whom the strongest attempts have been made by the rebels at Machias. Hughes will report the pains taken to keep the Indians quiet; should they break out, it would be exceedingly difficult, if at all possible, to carry on the masting. 242

August 6, Whitehall. Secretary of State (Germain) to Hamond. Alexander Brymer is recommended by Lord North for a seat in the Council. Should there be no material objection to him shall expect a recommendation in his favour by return. Col. Off. N. S. vol. 1, p. 341

August 11, Whitehall. Knox to Governor of Nova Scotia. Sends estimate for 1781, which follows. 338

September 12, Halifax. Hamond to Lords of Trade. Has received notice of their appointment. S. 79, B. T. N. S. vol. 28

September 12, Halifax. Same to the same. Transmits duplicates of proceedings of the Assembly, in regard to exemption from duty on rum for the forces. Had received Lovegrove's complaint; the steps taken for investigation. S. 80

October 12, Whitehall. Knox to Francklin. Germain's satisfaction that the Indians continue in good temper, the freedom from alarm and no interruption to the work of obtaining masts are proofs of the good effect of the establishment at Penobscot. The presents for the Indians should excite their gratitude. Col. Cor. N. S. vol. 14, p. 240

(Copy in Col. Off. N.S., vol. 1, p. 342.)

October 13, Whitehall. Fisher to Lords of Trade. Sends for consideration Acts and other documents relating to Nova Scotia. S. 71, B. T. N. S. vol. 28

Enclosed. List of members of Council, dated 30th June S. 72

List of laws passed in June and July S. 73

November 9, Deal. Hughes to Lords of Trade. Transmits, with recommendation in his favour, papers relating to the case of Jonathan Binney. S. 74, B. T. N. S. vol. 28

The papers. S. 75

November 17, Halifax. Hamond to Secretary of State (Germain). Sends estimate for civil establishment and minutes of Council to 30th September. Has appointed Charles Morris to succeed his father as Chief Land Surveyor. Col. Cor. N. S. vol. 15, p. 5

Enclosed List of Executive Council. 7

Estimate for the civil establishment for 1782. 8

1781.

(The estimates sent by the Governors were usually modified by the Lords of Trade.)

November 17, Halifax. Hamond to Lords of Trade. Sends copies of Acts and authenticated copies of depositions in Lovegrove's case, who is sending other papers to his attorney. T. 2, B .T. N. S. vol 29

Enclosed. The depositions and other proceedings in the case of Lovegrove. T. 3 to T 11

(Some of the documents are not marked. The Acts assented to are in the printed collection among the Archives and in the Board of Trade collection of Acts, vol. 360).

November 20, Halifax. Jonathan Binney to Cumberland. Respecting his application for allowance for losses and for salary as Chief Magistrate at Canso. Col. Cor. N. S. vol. 14, p. 262

November 21, Halifax. Hamond to Secretary of State (Germain). Has received dispatch of 4 October, 1780 (this dispatch does not appear in the correspondence) with instructions from the commissioners of the sick and hurt respecting the care of prisoners in Nova Scotia; did all he could for their comfort. The great number brought in has added to the inconvenience and expense, but their detention has prevented many privateers from being fitted out. Now that the season is over, is sending back prisoners, although the account is many hundreds in Government's favour. 252

November 21, Halifax. Same to the same. Recommends Alexander Brymer to be appointed to the Council. 255

(Duplicate of this letter is dated 25th.)

November 22, Halifax. Lovegrove to Lords of Trade. Has appointed Robert Leslie his attorney and sent him the necessary evidence. T 1, B. T. N. S. vol. 29

November 22, Halifax. Francklin to Secretary of State (Germain). Gives details of the distribution at Burton of presents to the Indians, to the number of 383, who afterwards dispersed to their hunting. Has settled amicably the jealousy about the election of chiefs. Their gratitude at the appointment of a priest; their resolve to plant corn; to oppose hostility by their brethren at Machias, Penobscot and Kennebec and protect those employed in procuring masts. False alarm at Oromocto; eagerness of the Indians to go to its defence. Col. Cor. N. S. vol. 14, p. 248

November 23, Halifax. Hamond to Lords of Trade. Sends duplicate of estimate for the civil establishment of Nova Scotia. T. 13. B. T. N. S. vol. 29

Enclosed. Duplicate estimate. T. 14

(The original was sent on the 17th.)

November 24, Halifax. Memorial from Joshua Wingate Weeks, late missionary at Marble Head, New England, for leave to remain at Halifax, until he can with safety remove to Annapolis with his family, to which charge he has been appointed and where he has in the meantime an efficient deputy paid by himself. T. 16

November 24, Whitehall. Fisher to Lords of Trade, Transmits for the information of their Lordships, address from the Assembly of Nova Scotia, and copy of a bill referring to the excise duty mentioned. S. 76. B. T. N. S., vol. 28

Enclosed. Address of the Assembly stating the difficulties of framing an Act to exempt from duty rum and molasses for the troops, the reasons being given at length. S. 77

The proposed Act. S. 78

November 25, Halifax. Hamond to Secretary of State (Germain). The care taken of the prisoners, so many of whom had been brought in. Had retained the seamen taken prisoners, which had prevented the fitting out of privateers. Now that the privateering season is over, had sent them back, although the balance of prisoners is in his favour many hundreds. Col. Cor. N. S. vol. 15, p. 9

November 27, Halifax. Same to the same. Nothing material has happened except a few depredations and robberies by rebels in whaleboats and small vessels at

1781.

Annapolis and other parts of the Bay of Fundy; hopes the admiral will place a small vessel there next summer. Brymer is a proper person for the Council. Death of Morris, Surveyor General; has appointed his son Charles to succeed; recommends the confirmation of the appointment; the legal changes necessary by the death of Morris. The country on each side of the St. John surveyed for 95 miles; a considerable quantity of masts, it is reported, may be cut there for many years. Prisoners on board ship, as recommended by the commissioners; there may be complaints from people who made money out of them whilst they were kept on shore. The military works in good repair, but there is not a sufficient garrison to defend them; the militia are in tolerable condition. The population loyal, except a few too inconsiderable to be of consequence; they are known and well watched. His own situation agreeable except for the expense. Col. Cor. N. S. vol. 14, p. 254

Enclosed. Charles Morris to Hamond, dated 3rd November, on the duties of Surveyor and his father's services, &c. 259

December 18, London. Opinion of Counsel (Jackson) on Acts passed in Nova Scotia. S. 81, B. T. N. S. vol. 38

1782.

January 6, Halifax. Hamond to Secretary of State (Germain). The Attorney General having accepted the office of an assistant judge in room of Morris deceased, he (Hamond) has appointed Gibbons, Solicitor General, to act as Attorney General and recommends his appointment. Has appointed Richard John Uniacke to act as Solicitor General and recommends his appointment. Col. Cor. N. S. vol. 15, p. 12

January 29, Whitehall. Lords of Trade to the King. Recommend the appointment of Alexander Brymer to be Councillor in room of Charles Morris, deceased. B. T. N. S. vol. 39, p. 15

February 6, Whitehall. Same to Knox. For information on the subject of the estimates their Lordships are framing for the civil establishment. Send copy of a bill framed, but not passed, by the Assembly of Nova Scotia, for the King's directions. 16

February 7, Whitehall. Secretary of State (Germain) to Lords of Trade. Transmits, by the King's directions, copy of a bill framed by the Assembly and rejected by the Council of Nova Scotia, with copy of the Assembly's address, for consideration and report. Whether the bill, if passed into law, would be a sufficient remedy for the grievances complained of by the commander of the forces in Nova Scotia and if any, and what, amendments would be required. T. 17, B. T. N. S. vol. 29

A report on this bill by Richard Jackson is marked T. 19.

February 9, Whitehall. Knox to Lords of Trade. The first and last paragraphs relate to Florida and its transfer to Spain. In the second paragraph Germain recommends that £100 should be entered in the estimate for the civil establishment of Nova Scotia as a salary to Binney, magistrate at Canso. T. 12

The papers relating to Binney's service as a magistrate at Canso and his losses. T. 15

February 11, Whitehall. Lords of Trade to Jackson. Send for consideration the bill mentioned in letter to the Secretary of State of the 6th. B. T. N. S. vol. 39, p. 18

February 15, London. Resolution of the Society for the Propagation of the Gospel that Rev. Jacob Bailey having been appointed missionary at Annapolis in room of Joshua Wingate Weeks, this be communicated to the Lords of Trade, with a request for the same salary to Bailey as was given to Weeks. T. 18, B. T. N. S. vol. 29

(See memorial from Weekes (Weeks in Memorial) of 24th November, 1781.)

February 20, Whitehall. Secretary of State (Wellbore Ellis) to Hamond. The King's satisfaction at the tranquillity of the province and that it had not suffered any

1782.

material annoyance from the rebels. Hopes his application for a vessel to be stationed to protect the fisheries will be attended to by the Admiral. The defences of Machias might now be destroyed. Approves of his retaining during the summer the seamen brought in as prisoners, but as they could have been impressed, he could have wished they could have been sent to New York before Hood sailed. Has sent to the Treasury the recommendation of Charles Morris to succeed his father. Approves of his arrangements in the law line, and has recommended the confirmation of the appointments of Gibbons to be Attorney General and Uniacke to be Solicitor General. Col. Cor. N. S. vol. 15, p. 14

bruary 22, itehall. Lords of Trade to Secretary of State (Ellis). A limitation should be put to the power granted to the inhabitants of the townships on the Bay of Fundy and Bason of Minas to levy taxes for defensive purposes. The resolution of the Governor and Council to constitute the County of Hants should be confirmed by the legislature. Respecting the refusal of the legislature to pass a law exempting from duty articles imported for the use of the troops; what he is to represent on the subject. The complaint of Lovegrove dismissed; it is their Lordships practice to hear all complaints, so that those complained of cannot consider themselves aggrieved by the reception of Lovegrove's complaint. B. T. N. S. vol. 39, p. 27

bruary 22, itehall. Same to the King. The proposed Act for a duty on articles imported into Nova Scotia for the use of the troops to be disallowed; how defalcations and malpractices in respect to this exemption might be prevented. 21

bruary 28, itehall. Secretary of State (Ellis) to Superintendant Franklyn (*sic*). His conduct in respect to the Indians, &c., approved of.
Col. Cor. N. S. vol. 15, p. 19
(Copy in Col. Off. N. S., vol. 1, p. 343.)

bruary 28, itehall. Secretary of State (Ellis) to Hamond. The King pleased that Nova Scotia continues tranquil and that the inhabitants pursue their occupations without annoyance. His application to the Admiral to station a sloop in the Bay of Fundy for the protection of the fishery and mast vessels will, he hopes, be attended to, and as he understands the rebels have withdrawn from Machias, the opportunity might be taken to destroy it, or make it a post for the cruisers. As the balance of rebel seamen, prisoners of war, may be in his favour, it was prudent to detain those brought to Halifax in the summer months to prevent them from manning the privateers, but regrets he did not send them to New York before Hood sailed, as he could have taken some of them for his squadron. The appointment of the surveyor of lands is with the Treasury, to which he has sent the recommendation of Morris to succeed his father. The law changes consequent on the death of Morris; will recommend that Gibbons be confirmed as Attorney General and Uniacke as Solicitor General. Col. Off. N. S. vol. 1, p. 343

arch 8, itehall. Same to the same. Sends Order in Council in reference to the address of the Assembly, giving the reasons for rejecting the bill to exempt from duty rum imported for the troops. He is to recommend the Assembly to pass a bill conformable to the order. Col. Off. N. S. vol. 1, p. 346

Enclosed. Order in Council, including the report from the Lords of Trade. 348
(Copy of letter, but not of the order, is in Col. Cor. N. S. vol. 15, p. 21)

pril 15, itehall. Secretary of State (Germain) to officer commanding the German troops (in French). He is to proceed direct to Halifax with the troops of the Landgrave of Hesse Cassel, Duke of Brunswick, Prince of Hesse Cassel, the Princes of Waldec and of Anhalt Zerbst and put himself under the orders of Carleton, but for the present to be under those of Campbell, or the commanding officer in Nova Scotia. A. and W. I. vol. 406, p. 13

1782.

April 15, Whitehall. Secretary of State (Germain) to Campbell. The German recruits 2,000, to be sent direct to Halifax and taken under his command. S Penobscot not be in a proper state of defence part of the Germans sent there. A & W. I. vol. 40

April 20, Whitehall. Same to the same. British recruits ordered to Halifax, to be under his command.

May 9, Halifax. Hamond to Secretary of State (Ellis). Has received notice t (Ellis) was appointed Secretary of State. Will recommend the As to pass a bill respecting the exemption of spirits for the forces in a ance with order-in-Council. Col. Cor. N. S. vol. 15

May 9, Halifax. Memorandum of the position, salary and official expenditure of ley, Secretary to the Province. Col. Cor. N. S. vol. 1

(Undated, endorsed as presented to the Governor on the margin).

May 9, Halifax. Hamond to Lords of Trade. Shall attend to instructions rela limitation of the delegated powers of taxation, the erection of co and the exemption from duty on spirits imported for the forces. directions as to the granting of lands to applicants, other than o soldiers and loyalists. Has informed the civil officers that the c made by Lovegrove had been dismissed. Col. Cor. N. S. vol. 15

May 15, Halifax. Same to Secretary of State (Ellis). The good effect of a nava in the Bay of Fundy, two of the enemy's privateers, that came f purpose of plundering the country, having been destroyed. The c of masts goes on at St. John River. Shall communicate to the A and General, his (Ellis') advice respecting Machias. The necessi building a powder magazine, St. George's Island preferred; the d of keeping the powder on board of a vessel.

June 16, Halifax. Francklin to Secretary of State, (Shelburne.) Is glad to find th Lordship is again at the head of American affairs. The India the St. John have been quiet since last fall; the cutting of masts depends much on their humour.

June 24, Halifax. Hamond to the same. Has received dispatch that His L had been appointed Secretary of State.

June 27, Whitehall. Nepean to Lieut. Governor of Nova Scotia. Sends estimate for Col. Off. N. S. vol. 1,

Estimate follows.

(Copy of the estimate is in B. T. N. S., vol. 39, p. 19.)

July 4, Halifax. Journal of Legislative Council from 11th June to date in the m Col. Cor. N. S. vol. 12,

(See also B. T. N. S., vol. 55.)

July 8, Whitehall. Secretary of State (Shelburne) to Hamond. Dispatches rec Parr appointed Governor of Nova Scotia, that office being incomp with the duties he (Hamond) is so well qualified for in time of war conduct respecting cutting masts and his measures for destroyin enemy's privateers approved of. Extract from letter respecti powder magazine sent to the Ordnance. Col. Cor. N.S. vol. 15,

July 12, St. James's. Commission to John Parr to be Governor of Nova Scotia. Col. Off. N. S. vol. 1,

August 17, Halifax. Campbell to Secretary of State (Shelburne). Arrival of 1,964 G troops on 13th instant. This is fortunate as he was informed of a F fleet of 14 ships of the line and some frigates being seen off the Ches and that the "Allegiance," sloop of war, was taken the third day leaving Penobscot for New York. Shall send 200 Germans to reti Penobscot. The provision ships not arrived; the short supply hands of the commissary. A. & W. I. vol. 406,

(This letter is dated 17th July, a duplicate is at p. 21, date August, which is correct. The commissary's letter reporting the

1782.

supply of provisions is dated 14th August (p. 25), and on the 20th August (p. 29), Campbell says he sends a duplicate of his letter of "17th instant," that is August).

Enclosed. Crawford, commissary dated 14th August to Campbell, reporting that the victualling ships not having arrived, the supply of provisions in store is not sufficient for more than ten days. 25

ust 20, ifax. Campbell to Secretary of State (Shelburne). Arrival of British recruits this day. Forwards letter to Carleton at New York and duplicate of his letter of 17th instant. 29

ust 22. Draught unsigned addressed to the Lord President, recommending that Thomas Cochrane be appointed to the Council in room of Charles Morris, deceased. A. & W. I. vol. 597, p. 219

A draught letter, also unsigned, accompanied this, containing remarks on the instructions prepared for Parr, on being appointed to the government of Nova Scotia. 221

(These letters were probably written by Nepean, Under Secretary of State, the Board of Trade having been abolished in June, 1782, and the duties transferred to the Secretary of State. The Board was subsequently revived and is still in existence).

ust 23, James's. Instructions to John Parr, Captain General and Governor-in-Chief for Nova Scotia, the islands of St. John and Cape Breton and the territories thereunto belonging. B. T. N. S. vol. 40, p. 1

ust 24, itehall. Nepean to the same. On his arrival at Halifax, he is to send account of the light house and orphanage funds, for both of which annual sums are granted by Parliament. A. & W. I. vol. 597, p. 220

(Copy in Col. Off., N.S., vol. 1, p. 389).

ober 2, James's. Additional instructions to Parr, respecting the issue of bills of credit. B. T. N. S. vol. 40, p. 93

ober 8, ifax. Hamond to Secretary of State (Townshend). Asks that his resignation be accepted. Col. Cor. N. S. vol. 15, p. 37

ober 9, ifax. Minutes of Executive Council from 24th July, 1781, to date in margin. Col. Cor. N. S. vol. 12, p. 277

ober 9, ifax. Hamond to Secretary of State (Shelburne). Arrival of Parr, to whom he has transferred the government. The sudden removal has the appearance of dissatisfaction with his conduct. Col. Cor. N. S. vol. 15, p. 38

ober 26, ifax. Parr to Secretary of State (Townshend). Sends copies of laws passed last session and address from the Assembly. 44

Enclosed. Address, stating that the Act exempting spirits imported for the forces had been passed; the consequent diminution of the revenue, the loss of trade and expenses for defence consequent on the war and submitting the case of the province for relief. 45

ober 26, ifax. Parr to Secretary of State (Townshend). Arrived on the 5th and was sworn in on the 9th. In a letter from Sir Guy Carleton to Hamond, it was stated that 600 refugees, women and children included, desired to embark at New York for Nova Scotia this autumn and a large number in spring, but that he (Carleton) could not at present provide shipping for more than 300. He recommended that each family should have 500 and each single man 300 acres, 2,000 acres to be reserved for church lands and 1,000 for a school in each township, he presumes, and that no fees, quit rents or other pecuniary obligations should be charged. Has ordered lands to be provided, but asks directions, as gratuitous grants are contrary to his instructions. Carleton had also recommended that the refugees should have materials and artificers for building, but these he was unable to supply. Shall respite four soldiers convicted of murder until His Majesty's pleasure shall be known. Sends minutes of Council, list of members and accounts of the light-house and orphanage. Recommends Deschamps to be councillor. 1

(Duplicate at p. 40).

1782.
October 29, Halifax. Parr to Nepean. Sends memorial from the officers of his (Parr's) regiment respecting the clothing; asks him to take steps to remedy the evil complained of. Had arrived after a passage of 36 days and found everything better than he expected. Col. Cor. N. S. vol. 12, p. 7

October 31, Whitehall. Secretary of State (Townshend) to Parr. He is to send a detailed statement of expense of the orphanage for seven years, the number of children supported, &c.; also an account of the expense for the light-house for the same period, with the number of vessels entered inwards at the port of Halifax.
Col. Off. N. S. vol. 1, p. 289

November 12, Halifax. Parr to Secretary of State (Townshend). Death of Francklin, Superintendent of Indian affairs; has appointed John Cunningham to the vacancy, and recommends that he be confirmed in the situation.
Col. Cor. N. S. vol. 15, p. 52

Enclosed. Estimate of the civil establishment for 1783. 54
Duplicate in B. T. C. B. vol. 2.

December 7, Halifax. Parr to Secretary of State (Townshend). With the heavy ordnance from Charleston arrived 501 refugees, sent to the care of Major General Paterson, with whom he has concurred to afford them a reception. Calls attention to the delays caused by the transmission to New York of mails for Nova Scotia and asks that measures be taken to obviate such delays.
Col. Cor. N. S. vol. 15, p. 60

No date. Memorial of Lovegrove, complaining of oppression exercised towards him by certain officers of the Crown in Halifax.
B. T. N. S. vol. 29

(There is no date either on the memorial or endorsed as received; it was, however, subsequent to November, 1781. It is of great length but neither marked nor numbered.)

Sketch of Nova Scotia, chiefly of such parts as were settled in 1781, prepared by Judge Deschamps. B. M. add. 19071, fo. 234

1783.
January 15, Halifax. Parr to Secretary of State (Townshend). The laws passed in Nova Scotia are in accordance with His Majesty's instructions. No paper bills of credit have been issued, or established, either by law, resolution, order or vote of Assembly. Has from necessity of the case promised to the refugees boards to build small houses; trusts that the expense, about £1,000, will be defrayed by the Treasury.
Col. Cor. N. S. vol. 15, p. 62

January 22, Halifax. Same to Nepean. Asks that a more expeditious method may be found of sending the mails than by way of New York. The wretched condition of the new settlers for want of boards and nails; he has already prepared a quantity of the former for the new arrivals, as there is not a hut to shelter them. Those from Charlestown are worse off than the refugees from New York, as they have come almost naked from the burning sands of South Carolina to the frozen coast of Nova Scotia; has asked for a supply of clothing. Sends memorial against the practice of impressing for the navy, which it is necessary to stop for the existence of the colony. Col. Cor. N. S. vol. 12, p. 13

January 23, Halifax. Same to the same. Offers to get land for him or his children. 16
(Postscript to a letter, the rest of which is lost.)

January 23, Halifax. Paterson to Secretary of State (Townshend). Has sent troops to protect the frontier and tried to induce the militia to co-operate. Arrival of 500 refugees from Charlestown, assistance given to them to settle. The advantage of a packet direct to and from Halifax. The necessity for a fixed naval commander to preserve order and system. The want of specie. A. & W. I. vol. 406, p. 33

Enclosed. Distribution of troops. 37

1783.
ruary 20, Parr to Secretary of State (Townshend). A large addition might be made to the population were the men of the disbanded regiments allowed to remain and become settlers. Col. Cor. N. S. vol 15, p. 66
lifax.

ruary 28, Secretary of State to Parr. Dispatches with enclosures received. 56
itehall.

ruary 28, Same to Hamond. His resignation accepted, the King's satisfaction with his conduct during his administration. 58
itehall.

rch 26, Dr. Charles Inglis and other clergymen, to Sir Guy Carleton. Recommend Dr. Thomas Bradbury Chandler to be the first Bishop of Nova Scotia. B. T. N. S. vol 30
w York.

ril 1, Secretary of State (Sydney) to Parr. Wiswall having been appointed missionary in room of Bennet, deceased, he (Parr) is to draw for the usual allowance. Col. Off. N. S. vol. 1, p. 391
itehall.

ril 3, Parr to Secretary of State (Townshend). Transmits memorial from Cunningham to be reinstated as Superintendent of Indians, with account of expenditure whilst he held the office; recommends him for the appointment. Col. Cor. N. S. vol 15, p. 70
lifax.

Memorial from Cunningham. 71

Account of his expenditure. 73

ril 3, Parr to Secretary of State (Townshend). Recommends Thomas Cochran to succeed Francklin in the Council. 69
lifax.

ril 11, Carleton to Secretary of State (Townshend). Encloses letter from eighteen clergymen containing plan for an episcopate to be established in Nova Scotia. The reasons are forcible and he can apprehend no impediment to its adoption, divested as the office is of titles, pomp and temporal power. Urges compliance for reason given. B. T. N. S. vol. 30
w York.

Enclosed. The plan, dated 24th March. It proposed to have a bishop consecrated in England and sent to reside in Nova Scotia, to have the superintendence of the clergy, to ordain candidates and to confirm such of the laity as desire confirmation, but not to be invested with any temporal power or authority whatever. The reasons for the application are given at some length.

ril 15, Associated loyalists to Hamond. Address thanking him for his exertions on their behalf; the association now numbers 400 families. Sir Guy Carleton has informed them that they can only have six month's provisions on removal to Nova Scotia and transport to Port Roseway. The suffering they must endure, if they are not supplied with material for building, farm implements, &c. Col. Cor. N. S. vol. 15, p. 281
w York.

ril 23, Memorandum respecting lands in Nova Scotia, which agrees with the undated memorandum as to the ungranted lands after 1773, but only one third is deducted for uncultivable lands, that is, 6,861,017 instead of 8,233,260, leaving cultivable 13,722,134, against 12,349,891 in the undated statement. 313
lifax.

The undated statement shows a total of	26,000,000
Lands granted prior to 1773.	5,416,849
Ungranted	20,583,151
$\frac{2}{3}$ths supposed to be unfit for cultivation.....	8,233,260
Ungranted lands cultivable.....	12,349,891

296

y 5, Conway to North. The advantage to Nova Scotia of grants of land to disbanded officers, &c. 68
ndon.

y 12, Unsigned to Lord President. Authority to Hamond, then Governor of Nova Scotia, to dissolve the Assembly not having reached, asks that instructions to the same effect to Parr be laid before the King for his approval. A. & W. I. vol. 597, p. 223
itehall.

1783.

May 12, Whitehall. Unsigned to Lord President. Calls attention to considerations on the Act for the support of the puisne judges in Nova Scotia, which changes the term of their appointment from "during pleasure and their residence in the Province," to "*quam diu bene se gesserint*" (during good behaviour) absolutely and without a provision for their removal on addresses from both Houses. Asks that the changes be considered before the Act is assented to. A. & W. I. vol. 597, p. 229

March 12, Whitehall. Unsigned to the same. Numbers of loyalists having arrived in Nova Scotia, whom it is desirable to settle on land, sends additional instructions, the general instructions not meeting their case. 227

Additional instructions. 234

May 12, Whitehall. Unsigned to Lord President. Remarks on the Act for the relief of Roman Catholics passed in Nova Scotia. Admitting the propriety of the principles on which the Act is founded, many of the provisions appear to be objectionable. 229

Additional instructions to Parr, Governor of Nova Scotia, for a reserve of lands fitted for the supply of timber for the navy. 231

(Not dated, but probably sent on 12th May, with other unsigned papers relating to Nova Scotia. A rough copy is at p. 237).

May 13, Halifax. Parr to Secretary of State (Townshend). Dispatches with enclosures received. The expense of surveying for loyalist settlements; transmits memorial from Morris, chief surveyor. Col. Cor. N. S. vol. 15, p. 83

Memorial relative to expense of survey and asking for allowance for a draughtsman, &c. 76

Account of money expended in chief land surveyor's department. 77

May 13, Halifax. Parr to Secretary of State (Townshead). Encloses a memorial and recommends that its prayer be granted. 77

Memorial of the officers of the Nova Scotia volunteers, that the regiment may remain on its present footing for service in the province, the officers retaining their rank. 78

May 16, St. James's. Orders-in-Council (two), disallowing Act to provide for the support of the puisne judges and Act repealing clauses of an Act found injurious to Roman Catholics. Col. Off. N. S. vol. 1, pp. 392, 394

May 20, Halifax. Paterson to Secretary of State (Townshend), Transmits dispatches from Haldimand. Several thousands of loyalists have arrived from the southward, to whom assistance has been given. A. & W. I. vol. 406, p. 41

May 30, St. James's. Additional instructions to Parr. Duplicate of the order to Hamond of 2nd May, 1781, to dissolve the then existing Assembly. Col. Off. N. S. vol. 1, p. 396

June 2, Whitehall. Unsigned to Lord President. Sends proposed additional clause to the instructions to prevent disaffected persons from settling in Nova Scotia. A. & W. I. vol. 597, p. 246

June 2, Whitehall. Unsigned to the same. The rivers and territory from whence masts were procured for the navy being now within the limits of the United States, reserves are to be made in Nova Scotia. Lands unimproved are to be escheated. 242

(This letter was originally dated 27th May, but a pen drawn through that date and 2nd June substituted. Another copy with the original date—27th May—is at p. 243.

June 6, Halifax. Parr to Secretary of State (Townshend). Since his letter of 15th January, 7,000 loyalists have arrived, 3,000 of the provincial forces are to follow, besides others. The additional expense these arrivals will occasion. Col. Cor. N. S. vol. 15, p. 94

June 7, Whitehall. Unsigned to Burke (Treasury). Transmits copies of additional instructions for granting lands in Nova Scotia to loyalists and for revesting lands in the Crown, on which compliance with the terms of the grants had not been observed. As these instructions cannot be carried out till

1783.

Crown reserves are made, Lord North desires that the Surveyor General be ordered to proceed with that work. A. & W. I. vol. 597, p. 249

The additional instructions. 250

ane 10, t. James's. Additional instructions to Parr, restricting the granting of lands. Col. Off. N. S. vol. 1, p. 397

Additional instructions for granting lands to loyalists and disbanded soldiers, providing for the cost of laying out townships, &c. 402

(See also B. T. N. S., vol. 40, p. 98).

On the 7th August further orders were sent respecting the loyalists. B. T. N. S. vol. 40, p. 111

ane 10, t. James's. Additional instructions respecting the reserve of timber lands. 116

A draught of the general instructions, undated, except that the twenty-fourth year of the reign is given, which might be either 1783 or 1784. New Brunswick was erected into a separate province in 1784, with Thomas Carleton as first Governor; the general instructions make no reference to this. At page 147 of volume 40 is this paragraph: "It is, however, Our Will and Pleasure that you do not assent to any "Law that shall be passed in our Province of Nova Scotia, which shall "extend, or may be deemed to extend, to our Islands of Saint John and "Cape Breton, under colour or pretence that our said Islands are in- "cluded in our Commission to you, and are thereby part of your "Government of Nova Scotia." Cape Breton was not separated till 1784, but Parr's instructions as Governor of Nova Scotia were prepared in 1783. 123

ne 15, hitehall. North to Carleton (extract). Before deciding on the appointment of a bishop for Nova Scotia, the ministry desire to know the disposition of the laity. B. T. N. S. vol. 30

ne 24, hitehall. Secretary of State (North) to Governor of Nova Scotia. Has sent instructions for his guidance in granting lands to loyalists and disbanded soldiers. What obligations are to be taken by intending settlers, in recognition of the supreme power of the King in Parliament. No notice to be taken of the power of taxation, as Parliament has, by Act of 18 George III., expressly restrained itself from imposing taxes on the Colonies and too many exemptions in the declaration would cast doubt on the sincerity of Parliament. Col. Off. N. S. vol. 1, p. 410

(An unsigned copy, dated June —, is in A. & W. I. vol. 597, p. 253.)

ne 24, hitehall. Secretary of State (North) to Governor of Nova Scotia. Points out the defects in two disallowed Acts; should these be removed they will be assented to, should no other objections occur, the King being desirous to relieve his Roman Catholic subjects from all hardships incurred on account of their religion. Explains the object and aims of the additional instructions for granting lands to loyalists. Col. Off. N. S. vol. 1. p. 413

(See also unsigned and undated letter in A. & W. I. vol. 597 p. 255).

ne —. Return of families settled in Hillsborough, with quantity of stock, &c. Col. Cor. N. S. vol. 12. p. 112

ly 1, hitehall. Unsigned to Lord President. In consequence of the injury to Nova Scotia caused by the want of improvement to lands granted, asks that the King-in-Council may revoke all grants dated before 1774, the conditions of which have not been complied with. A. & W. I. vol. 597. p. 265

ly 6, lifax. Parr to Lord North. Has been informed that His Lordship is appointed Secretary of State. Has received pardon for Daniel Knapp and James Burns, and notice of the appointment of Wiswatt (Wiswall?) to be missionary in room of Bennet, deceased, with the usual allowances. Has received application from refugees from New York for leave to settle in Cape Breton; asks for directions. Col. Cor. N. S. vol. 15, p. 96

1783.
July 24, St. James's. Secretary of State (North) to Governor of Nova Scotia. Sends Gazette with Order-in-Council, revoking all orders made for grants of land prior to 1st January, 1774, which have not been carried into execution. A. & W. I. vol. 597, p. 267

(Copy of the letter in Col. Off. N. S. vol. 1, p. 429; and of order-in-Council, p. 427 same volume. The copy in A. & W. I. is not signed.)

August 5, Whitehall. Proposed instructions to the Governor of Nova Scotia for making grants of land to reduced provincial troops.
A. & W. I. vol. 597 p. 269

August 7, Whitehall. Secretary of State to Governor of Nova Scotia. Transmits instructions for granting lands to reduced provincial troops. (Unsigned). 270

August 8, Whitehall. Secretary of State (North) to Paterson. Dispatches received; has learned of the arrival of loyalists; they are to be assisted. The separation of the thirteen Colonies must increase the importance of Nova Scotia; Halifax to be the rendezvous for the fleet. Application made to the Postmaster General for a proper number of packets for speedy intercourse between Great Britain and Halifax; a monthly packet to be sent from Halifax. Has referred to the Treasury the statement respecting the discount on bills drawn. A. & W. I. vol. 406, p. 45

August 8, Whitehall. Same to Governor of Nova Scotia. Sends list of articles for the relief of the loyalists; the proprietors of St. John Island have given up one fourth of their lands for their use. The King has ordered an assortment of iron work, tools, &c., to be sent to the island for the refugees. The suggestion that disbanded soldiers may be left to become settlers approved of; instructions shall be sent accordingly. George Henry Monk was appointed superintendent of the Indians. Isaac Deschamps appointed to the Council. Arrangements shall be made for packets to proceed direct to Halifax with mails. Col. Cor. N. S. vol. 15, p. 59

August 8, Whitehall. Same to officer commanding at Halifax. Disbanded soldiers may remain and become settlers, each non-commissioned officer to have 200 and each private 50 acres, in addition to what he is entitled to in right of his family, free of fees and of quit rent for ten years; on disbanding, the question of settlement is to be left to the men; each settler is to have provisions for a year. A. & W. I. vol. 406, p. 51

August 12, Whitehall. Secretary of State (North) to Parr. A contract has been entered into with George Moore to convey 150 felons to Nova Scotia. He is to be permitted to land and dispose of them as usual in such cases.
Col. Off. N. S. vol. 1, p. 430

August 14, London. Bourke to Under Secretary of State. The Commissioners of the navy will not suffer the ship carrying the goods to Nova Scotia to stay longer than till next week, so that some of the goods must remain till spring. Every exertion has been made but it has been impossible to get the goods ready in time. No harm can arise from the delay as part of each of the articles has been sent. Col. Cor. N. S. vol. 15, p. 421

August 19, London. Philip de Meyern, Orange Rangers, to Mr. North. Sends copy of memorial for his pay and requests his influence with Lord North. The memorial is enclosed, dated 6th May. A. & W. I. vol. 597, p. 272

August 21, Whitehall. Secretary of State to Governor of Nova Scotia. Sends invoices of tools, &c., for the loyalists. Col. Cor. N. S. vol. 15, p. 86

August 22, Whitehall. Nepean to the same. Sends estimate for 1783.
Col. Off. N. S. vol. 1, p. 431

Estimate. 432

August 23, Halifax. Parr to Secretary of State (North). Upwards of 12,000 souls have already arrived from New York, and is told that as many more will follow. Has done all in his power to alleviate their distresses, but has had no instructions to regulate his conduct. Col. Cor. N. S. vol. 15, p. 88

1783.
ugust 26, ew York. Sir Guy Carleton to North. Has reason to think the opinion of candid and judicious laymen, as well as clergy, is well founded, that the want of an American episcopate had given many advantages to those who had taken the lead in the late rebellion. Believes that the greater part of the settlers gone or going to Nova Scotia are members of the Church of England. The plan of an episcopate has been approved of by different sects, particularly the dissenters, whose decided unanimity in the last revolt was plainly shown. Any of them who would remove to Nova Scotia from political motives would at least acquiesce in the establishment, and he believes the selection of a person of merit and discretion would be greatly conducive to permanent loyalty and future tranquillity in the province. B. T. N. S. vol. 30

ugust 28, hitehall. Secretary of State (North) to Governor of Nova Scotia. Points out irregularity in the form of grants of land; no instrument in the King's name is to be signed without the fiat of the Attorney General, for whom a fee is to be established. Sends form of grant, which is to be followed and to prevent other informalities sends a mode to be observed from the first application to the final perfecting and recording of the grant. No returns have been made of grants since 1774, and as the return then made was imperfect, he is to transmit account of lands granted up to the 1st of July last, with an account, detailing dates, and names, &c., of escheated lands. Col. Off. N. S. vol. 1, p. 433

(An imperfect unsigned copy is in A. & W. I., vol. 597, p. 276, and a revised copy p. 279.)

ptember 6, alifax. Parr to Secretary of State (North). The necessity for having a vessel to convey the Governor, Surveyors and others to districts which it is impossible to reach by land; reasons for the proposed vessel being employed. Col. Cor. N. S. vol. 15, p. 108

ptember 17, elburne. Memorial to Sir Guy Carleton for the appointment of John Miller to the Collectorship of Customs at Port Roseway. 319

ptember 23, hitehall. Secretary of State to Parr. The Acadia Company having had no opportunity during the war to settle their lands, propose to set apart one-fourth for the loyalists and to supply them with provisions, tools, &c.; recommends him to afford them every support and protection. 100

ptember 30, alifax. Parr to Secretary of State (North). Has received dispatches with instructions, &c. The dispatches referred to in those received, and the iron work, &c., for loyalists, not yet arived. The miscarriage of these has given him great concern, as upwards of 13,000 persons have arrived at Halifax, Annapolis. Port Roseway, St. John River and Cumberland, and since the end of July, great numbers have been landed at those places and Passamaquoddy, between the St. John and St. Croix, whose number he cannot yet ascertain, but it is believed that upwards of 18,000 persons have arrived. Has done all in his power for them, sent surveyors to settle them on the escheated lands and provided boards to cover them in their habitations. Upwards of 5,000 are at Port Roseway, where he visited them, appointed magistrates and established order. The settlement at St. John's River is the most numerous; has placed the care of the settlement in the hands of Capt. Studholme; his services and qualifications. From Carleton's letters it is expected that 8,000 or 10,000 more will be forced from the violent temper of the American committees, to seek an asylum in Nova Scotia. Arrangements for mail services to Quebec. 102

tober 4, alifax. Same to Nepean. Hopes to hear from him. Upwards of 20,000 loyalists have arrived and many more to follow. Those who arrived early are comfortably housed; those lately come, or who are yet to arrive, will be miserable if it is a severe winter, and will have to hut in the woods. Has done all he can for their comfort, but many are very unreasonable, and complain. Col. Cor. N. S. vol. 12 p. 17

1783.
October 18, Halifax. Certificate by members of the Council of Nova Scotia in favour of George Smith. Enclosed in his letter of application of 29th November, 1792, which see.

October 19, Halifax. Brigadier General Fox to Secretary of State (North). In the absence of Paterson had opened official letter addressed to him.
A. & W. I. vol. 406 p. 57

October 21, Halifax. Parr to the same. In consequence of the lateness of the season, H.M. S. "Greyhound" cannot proceed to Quebec with the mails; has landed and sent them by way of St. John River. The number of refugees landed since 30th September is about 2,000. The expense of settling them arising from a variety of causes; sends account of the deputy surveyors it was necessary to employ to mark out the lands; the expense for these, including instruments, is computed to be upwards of £3,000. Other expenses such as boards, the hire of vessels to carry the people to their settlements from Halifax, for which he has no fund. Sends memorial from 100 families in Connecticut for settlement in Nova Scotia; other well disposed people would follow. Encloses also memorial from Lieut. Col. Small, of the late 84th, on behalf of the privates for lands. Has just received word of the loss of a vessel sent with surveyors to Port Mouton. Instruments, drawings, &c., lost, but the people saved.
Col. Cor. N. S. vol. 15 p. 110

Settlements under survey for refugees and disbanded American troops with the number of surveyors employed at each place. The following is the list: "St. John River from one hundred and fifty miles up and "on all the great branches; 7 Surveyors. Port Roseway, the district of "Shelburn, Port Mouton and the Coast between that and Shelburn: 6 "Surveyors. Annapolis, Bason, St. Mary's Bay, Clare, Conway and Bear "River, 5 Surveyors; Passamaquoddy, settling troops and loyalists from "Penobscot, 3 Surveyors; between St. John's and Passamaquoddy, set- "tling a company of Quakers, one surveyor, eastward of Newport, one "surveyor; Dartmouth, one surveyor." Each surveyor was paid ten shillings a day and had two chainmen and an axeman. 115

(In the report on Archives for 1884 at p. xli is a muster roll [numbers only] of the disbanded troops and loyalists, with the places of settlement, which might be compared with the above).

Memorial to Parr of "a body of loyal people in Connecticut, who, in "the course of the late unnatural war, have suffered in their persons and "properties for their inflexible loyalty to their Sovereign, obedience to "his proclamation and attachment to the British Constitution," praying for a settlement in Nova Scotia. 116

Memorial from Lieut. Colonel Small of the late 84th, (2nd battalion) on behalf of the officers and men, for the lands promised when the battalion was raised. 118

October 23, Halifax. Certificate by members of the Council and others, in favour of Joseph Gray, merchant, in Halifax. Col. Cor. N. S. vol. 12, p. 111

October 24, Whitehall. Secretary of State (North) to Governor of Nova Scotia. The men of the Duke of Cumberland's regiment, commanded by Lord Charles Montagu, are desirons of settling in Nova Scotia. The officers and privates are entitled to every indulgence, encouragement, and the exemption mentioned in the instructions. Col. Off. N.S. vol. 1 p. 436

October 25, Halifax. Parr to Nepean. As the officers of the Nova Scotian volunteers, of which he is colonel, have been placed on half pay, asks that he may receive the same. The large increase of the expense incurred by him as Governor, owing to the influx of loyalists, whom he must entertain.
Col. Cor. N. S. vol. 13 p. 20

October—(?) Whitehall. Unsigned to Governor of Nova Scotia. Grants of land to be made to the officers and men of Lord Charles Montagu's regiment, reduced in Jamaica and to be brought to Nova Scotia. A. & W. I. vol. 597 p. 253

1783.
vember 1, Parr to Secretary of State (North). Has received directions for rec-
lifax. tifying the mode of granting lands. Owing to the departure and death of the late Receiver General, and no successor being appointed, no quit rents have been collected since 1772. Has appointed John Cunningham to the office; asks from what period the arrears should be collected; suggests it should be last Michaelmas. Has not yet received the dispatches directing the assistance he is to afford the refugees.
Col. Cor. N.S. vol. 15 p. 121

vember 20, Same to the same. Tools and implements arrived for the loyalists;
lifax. shall be distributed without loss of time. Several ships have arrived since the 1st November, with probably 25,000 souls; it is a most melancholy season for those unfortunate people to come to this climate; shall do all he can to alleviate their distress and get them under cover before the winter sets in. 123

ember 2, Journals of Legislative Council from 6th October to date in the mar-
lifax. gin. Col. Cor. N. S. vol. 12 p. 354, and B. T. N.S. vol. 55
Same of the Assembly for the same period.
421, and B. T. N. S. vol. 55

ember 13, Parr to Secretary of State (North). Sends list of Acts passed last
lifax. session. Besides the families from Connecticut, 100 persons about Cape Ann propose coming to Nova Scotia next spring. Arrival of Lord Charles Montagu with 200 of his disbanded troops from the Havana: about as many more expected. James, Mary and John Collins found guilty of murder, the two first executed, but John respited, circumstances having appeared in his favour. Col. Cor. N.S. vol. 15 p. 125
List of laws. 127

ember 16, Parr to Secretary of State (North). Sends copy of address to him
lifax. from the Assembly, cannot accept the offer without permission. Introduces Brigadier General Fox, who can give information about the loyalist settlements. 131
Enclosed. Address from the Assembly that £500 had been voted to him (Parr) to defray a portion of his expenses as Governor. 133

ember 16, Parr to Shelburne. Had written frequently since his arrival,
lifax. chiefly in connection with the loyalists, who do not fall far short of 30,000 souls. They have gratefully acknowledged his attentions, except a few worthless characters whose sordid wishes are not to be gratified. The rapidity with which towns are being built, especially Shelburne, which has already 800 houses finished, 600 in great forwardness and several hundreds lately begun, with wharves and other erections, upwards of 12,000 inhabitants, 100 sail of vessels and a most advantageous situation, harbour, &c. Two towns are building on the St. John River, and another at Passamaquoddy Bay, Annapolis enlarged; a new town building near it; a large settlement of German soldiers; every harbour on the coast being settled by fishermen. Applications have been received from several hundred families in New England and Connecticut; has written to Lord North for instructions. The importance of the province. Arrival of Lord Charles Montagu with his regiment, which he proposes to settle. Col. Cor. N. S. vol. 15, p. 134
(See also Col. Cor., vol. 12, p. 21. The letter in volume 12, bears no address, that in vol. 15 is plainly endorsed and addressed to "the Right Hon. the Earl of Shelburne." The previous letters stated by Parr to have been sent to His Lordship are not traceable. Lord Shelburne ceased to be Secretary of State before Parr was Governor of Nova Scotia; he became prime minister on the death of Rockingham in July, 1782, but his administration only lasted till the following April, when it was displaced by the Coalition Ministry. The contents of the letter show that it was written at the date ascribed; its receipt was acknowledged by Lord Sydney, on the 12th of March, having been transferred

1783.

to him by Lord North. The population of Shelburne is greatly gerated in the letter, as by actual muster in the summer of 17 number was 7,923, and Col. Morse points out in his rep bad effects of the sudden building of towns, instead of cultivati lands. See report on Archives for 1884, pp. xl and xli).

December 17, Halifax. Parr to Nepean. Asks for North's decision, whether or not he accept the £500 voted for him by the Assembly.

Col. Cor. N. S. vol. 1

Enclosed. The resolution of the Assembly, voting Parr £500 t the extraordinary expenses caused by the influx of strangers.

December 18, Halifax. Campbell to Secretary of State (North). Arrived on the 15 from illness had been unable to take command of the troops un day. Sends exact state of the provision store; submits that a co able supply should be sent early in the spring. The exorbitant £170 being asked for a very indifferent house, and only on a le three years. Proposes that a house should be built for the comm officer to save that expense. Refers to Fox, who will deliver thi for information respecting the district lately under his command

A. & W. I. vol. 40

Enclosed. Return of provisions at Halifax and outposts.

Duplicates in B. T. N. S., vol. 15, pp. 139, 141.

December 20, Halifax. Lord Charles Montagu to Secretary of State (North). On the tion of his regiment, raised from loyalists in Carolina, he induce to go to form a settlement in Nova Scotia. Three hundred are arrived and he expects 200 more, the men arrived are now hutt Halifax. Disaster to the vessel he was on board of, which w demned and he hired another vessel. Asks that the bills he had for provisions, &c. be honoured; he has vouchers for all outlays, own income has suffered. Col. Cor. N. S. vol. 15

December 31, Halifax. Parr to Carleton. Calls attention to the conduct of Hardy, a ney, who is striving to excite disaffection among the loyalist John River; they have received every possible attention, and holme's judicious conduct has been conspicuous. Recommends he receive the usual allowance of ten shillings a day.

Enclosed. Proceedings of the 22nd Company of St. John's respecting certain grievances.

(The letter is dated 1784, an evident error).

No date. Memorial of Edmund Fanning, that his office of Lieut. Gove Nova Scotia, may not destroy his claims to half pay.

Col. Cor. P. E. I. vol. 13

The memorial states he (Fanning) had held a civil and military ment for seven years; his military rank dates from 1776, which give 1783 as the date of the memorial, which agrees with th of his appointment. The words of the memorial show that he w recently appointed, and as it was addressed to the Duke of P "First Lord of His Majesty's Treasury," to which he was appoi April, 1783, and resigned in December of the same year, there is corroboration of the date being 1783.

Memorial from Winkworth Tonge for employment in Nova S

A. & W. I. vol. 597

List of Councillors. B. T. C. B. vol. 2, No. 11.

Memorial of Richard Cumberland, agent for Nova Scotia, trans petition from the Council and Assembly that the commissions Chief Justice and puisne judges be granted during "good beha instead of "at pleasure" as in the present commissions.

Col. Cor. N. S. vol. 15

Description of the River St. John and townships

(Another copy, but defective, at page 286).

1783

Memorandum of the lands that may be granted to loyalists in Nova Scotia ; respecting fees and the materials that may be supplied them for building, &c. Col. Cor. N. S. vol. 15, p. 297

Memorandum of tools, &c., for Nova Scotia ; one fourth of these to be sent to the settlers on St. John (Prince Edward) Island. A note says : " The whole will be about £5,500." 299

Memorandum (apparently by Hamond) respecting the Governor's farm. 301

Memorandum : " The encouragement given to the settlers in Nova Scotia in 1749, exclusive of certain grants of land, was

" Provisions for 12 months.

" Arms and ammunition.

" Materials and utensils for Husbandry, clearing and cultivating Land, " Erecting Habitations, carrying on fisheries and other purposes for " their support." 304

List of tools, &c. 305 to 307

Memorandum from 1731 to 1783, of changes in the Government of Colonies. 308

Memorandum respecting the salaries of the puisne judges in Nova Scotia. 310

Estimate proposed for the establishment of Nova Scotia. 312

Observations on the Western limits of Nova Scotia. 314

Proposals for settling a colony of American loyalists and other British subjects in the North east part of Nova Scotia. 317

Observations on the utility and necessity of granting a charter to the inhabitants of Nova Scotia. 321

A sketch of the Province of Nova Scotia, and chiefly of such parts as are settled. 325

Sketch of the River St. John. 356

Considerations on the propriety of dividing Nova Scotia into two governments, with remarks on the estimates, which are attached. 393

Estimate for Island of St. John. 400

do for Cape Breton. 401

do for Nova Scotia. 402

do for the intended Province. 403

Abstract of instructions to the Governor of Nova Scotia in respect to the granting of land. 404

Considerations as to the best policy which should be adopted with respect to the remaining British dominions ; the permanency of the connection should be the ground for every measure, the advantages to be derived from them taking only the second place. The considerations, apparently a memorandum by the Secretary of State, end with these words : " There should be given to the Colonies on the part of Great " Britain a clear and explicit exemption from all taxation except by " their own legislatures." 408

784. ry 1, x.

Campbell to Secretary of State (North). The impossibility of complying with the demands of settlers for provisions ; has constituted a board of inquiry. Asks instructions as to the meaning of the order respecting staff officers. The difficulty of preparing returns for the distribution of troops ; asks for a deputy adjutant general. Sends letter from Lord Charles Montagu, respecting the Duke of Cumberland's regiment, with answer. Dispatches will be delivered by Mongan, a respectable clergyman. A. & W. I. vol. 406, p. 69

Enclosed. Order constituting the board of inquiry. 73

Memorial (undated) from Lord Charles Montagu, that the regiment under his command should receive the same advantages as other corps. 77

1784.

Answer, dated 22nd December, His (Campbell's) orders prevent compliance with request, but being satisfied the corps is entitled to the advantages asked for, shall transmit memorial to Secretary of State.
A. & W. I. vol. 406, p. 81

January 1. Lists of general and staff officers. 85, 87

"Number of inhabitants in the Province of Nova Scotia on the 1st "January, 1784, as nearly as could possibly be collected from Returns of "the different places where they have set down." The total number of new settlers (loyalists) is given as 27,700; old inhabitants 14,000, a total of 41,700, omitting "Free Negroes." The muster by Morse in the summer of 1784, showed disbanded troops and loyalists 28,347, old British inhabitants 14,000, old French or Acadians 400, a total of 42,747. Morse's return, however, shows 1232 "servants," almost certainly negroes and 400 Acadians, neither included in the present return; these if deducted would leave a total by Morse's account of 41,115, as against 41,700 in the present statement. Col. Cor. N. S. vol. 15, p. 403

January 3, Shelburne. Memorial from magistrates and others, praying for continuance of provisions and for assistance in agriculture, &c.
Col. Cor. N. S. vol. 12, p. 30.

(Enclosed in a letter from the agent for Nova Scotia, dated "White-"hall, Saturday morning," probably written in March. The prayer of the memorial had already been granted. The agent, Cumberland, desires to have his accounts accepted as correct. The letter is addressed to G. Elliot Esq.) 37

January 6, Halifax. Campbell to Secretary of State (North). Has directed the transfer of provisions from the Navy to the Commissary General. The inconvenience of relieving the troops in Newfoundland from Nova Scotia; recommends that the relief shall come from Great Britain.
A. & W. I. vol 406, p. 89

January 13, London. Memorial of Michael Kearny, stating his services and losses, and praying that he may not be deprived of his lands.
A. & W. I. vol. 597, p. 288

January 15, Halifax. Parr to Secretary of State (North). Arrival of a considerable number of refugee families, who must be provided for in town, as they cannot be sent to the country at this season. Sends list of the passengers arrived by the "Clinton", to show the destitute state of the arrivals.
Col. Cor. N. S. vol. 15 p. 149

List of passengers by the transport "Clinton." 151

January 16, Halifax. Campbell to Secretary of State (North). Asks for instructions regarding the payment of duties on rum &c. issued to the troops.
A. & W. I. vol 406, p. 93

Enclosed. Demand by the Collector of Customs for payment of the duties on rum &c. 97

January 22, Falmouth, N S Augustus Fricke, acting adjutant of the 3—60th regiment, to Secretary of State (Sydney). The sufferings of the part of the 3rd and 4th battalions which had intended to settle in Nova Scotia; prays for relief.
A. & W. I. vol. 597, p. 290

January 22, London. Duke of Manchester to Secretary of State. The men of Lord Charles Montagu's regiment, who arrived in Nova Scotia in winter, are in great distress. Lord Charles asks that Parr may be directed to assist them.
Col. Cor. N. S. vol. 15, p. 423

February 2, Halifax. Campbell to Secretary of State (North). Further respecting Customs duties; encloses demand by the Collector and opinion of the Attorney and Solicitor General on its legality. A. & W. I. vol. 406, p. 101

Enclosed. Demand of the Collector. Duplicate of that at p. 97.

Opinion of the Attorney and Solicitor General that the duties are payable. 107

Collector to Townsend, Commissary, enclosing opinion. 109

1784.
ruary 2, Campbell to Secretary of State (North). Recommends a continuation of the allowance of provisions to loyalists. About 10,000 souls are
ifax. in Shelburne; other settlements crowded. There will be great distress if the allowance is not continued. A. & W. I. vol. 406, p. 113

ruary 2, Parr to the same. Additional provisions wanted for loyalists; some
ifax. can supply themselves, so that a discretionary power to issue only to those requiring help would prevent waste. Discontent excited on the St. John River; his measures for allaying it; none exists elsewhere. Col. Cor. N. S. vol. 15, p. 160

ruary 3, Same to Sir Guy Carleton. Several of the settlers have completed
ifax. houses; others are in temporary buildings; the people chiefly employed in making roads to reach their lands; there have been some complaints against surveyors and some murmurings, but these have subsided. The land about Shelburne is exceedingly good; the lands on the St. John river and Passamaquoddy are known to be good. The only dissatisfied people are those on the lands about Port Mouton; the complaints being reasonable they have been empowered to look out for a better situation. Has represented the need for a continuance of provisions and for an order for the troops to work on the roads. Arrival of Russell; he and his congregation are tired of each other. Has named one of the townships Carleton in honour of him (Sir Guy). An open winter; is afraid that a vessel with settlers has been lost. 429

ruary 4, Campbell to Secretary of State (North). Death of Lord Charles
ifax. Montagu from putrid sore throat, last night (3rd February). A. & W. I. vol. 406, p. 117

ruary 4, Parr to the same. Had already reported that nearly 30,000 souls
ifax. had arrived from New York and other parts of the continent; has the satisfaction of stating that all (except a few lately arrived) had been well covered from the severity of the weather, partly from the mild weather and partly from the extraordinary quantity of boards supplied, without which many would have perished. The progress in settlement; the good quality of the land, &c. If they continue the same industry as now, the settlers will make the province a flourishing country and a happy asylum to an unfortunate people. Col. Cor. N. S. vol. 12, p. 33

ruary 4, Same to Nepean. Owing to the great increase of inhabitants, the
ifax. Secretary must have an additional allowance or he (Parr) be allowed a private secretary. One or other is absolutely necessary owing to the increase of business. Has written for a continuance of provisions to the loyalists; should it not be granted, there will be great misery. Has drawn on the treasury for £4,500 for boards, &c. 36

ruary 21, Gibbons to Secretary of State (North) Sends statement respecting
ifax. the fees to which he considers himself entitled as Attorney General, and transmits copy of his correspondence with the Governor and Secretary on the subject. Complains that he is not allowed to see the instructions relating to his claims. 38

Enclosed. (1). Extract from instructions, so far as these relate to the Attorney General's fees. 43

(2). Gibbons to Parr. For copies of instructions respecting fees before he can act on the return sent him by the Surveyor General. 44

(3). The King's instructions to the chief land surveyor, a certified copy. 46

(4). Gibbons to Parr. Complains that the Secretary will neither furnish him with a perfect copy, nor permit him to see and peruse His Majesty's last instructions respecting the passing of grants in the province. 48

(5). Parr to Gibbons. Bulkeley (the Secretary) has reported that an extract from every part of North's letter that relates to the Attorney General was sent to him (Gibbons). 5

1784.
February 21, Halifax. Gibbons to Nepean. To the same effect as the preceding letter. The enclosures are duplicates. Col. Cor. N. S. vol. 12, p. 82

February 21, Halifax. Same to Collier. Sends triplicates. (9)
(There are copies of the letters and enclosures to North and Nepean in Col. Cor. N.S. vol. 15, pp. 433 to 447).

February 28, Halifax. Campbell to Secretary of State (North). Dispatches received; shall carry out the King's wishes on behalf of the loyalists; had recommended a continuance of the allowance of provisions to them. Application has since been made by the magistrates of Shelburne that this should be extended to other settlers; asks instructions. A. & W. I. vol. 406, p. 121

February 28, Halifax. Parr to Nepean. Has done every thing in his power for the loyalists; some few, a very small part, are so unreasonable that it is impossible to comply with their demands. Understands that complaints have been sent against him, but he will continue to render them every service in his power. Col. Cor. N. S. vol. 12, p. 79

March 1, Halifax. Same to Secretary of State (North). Application by loyalists for representatives in the Assembly; the present electoral divisions and number of representatives. Col. Cor. N. S. vol. 15, p. 163

March 3, London. Brook Watson to Nepean. Calls attention to the distressing state of the loyalists in Nova Scotia. 447
Enclosed. Joshua Mauger, 24th February, respecting his lands, and Edward Winslow, junior, Halifax, 10th January, 448 449

March 4, London. Cumberland to Secretary of State (Sydney). To strengthen the influence of the Crown, proposes that a salary of £100 a year should be granted to each member of the Council of Nova Scotia, residing in the province. A. & W. I. vol. 597, p. 292

March 4, Halifax. Parr to the same. In accordance with Carleton's recommendation, had ordered survey for 5,000 acres to each of 55 field officers, but had reduced this on receipt of instructions that no more than 1,000 acres were to be granted; the consequent dissatisfaction.
Col. Cor. N. S. vol. 15, p. 166

March 6, Halifax. Joseph Aplin to Chief Justice Smith. His motive for coming to Nova Scotia was rather necessity than predilection in favour of the country; had found, however, the climate, soil and resources better than the police or administration; these can be remedied, whereas natural defects would admit of no cure. Policy should have pointed out that the utmost attention should have been paid to the loyal adventurers. The uneasiness he found on landing at St. John, on account of the people not getting their lands; about 1,500 framed houses and 400 of logs afforded shelter. The sudden exertion was unparalleled and frequently he could scarcely credit his own eyes at the sight of such industry. But the people had no legal right even to the ground their houses covered and they appeared to be almost in despair. The greater part of those in the town at the mouth of the St. John river, never meant to fix themselves there, but to settle on their lands and to apply their money to building farm houses, purchasing live stock, &c. The loss caused by being obliged to build at the mouth of the river. The general discontent; the delay in granting lands to answer selfish and political purposes. The demand for fees for separate grants; he had succeeded in having the grants made in deeds by fifties, leaving the grantees to partition their lands voluntarily, or by coercion. The motives of the Assembly in voting £500 to the Governor and £400 to the Chief Justice alleged to be to throw a veil over the treasonable practices of some of the old settlers. Is not adverse to lenity or forbearance, even to rebels, but it should have been delayed till the new States had shown the way by complying with the definitive treaty. The opinion of the loyalists that the Assembly, before exercising humanity towards offending subjects, should have made inquiry as to the progress in settling

1784.

the loyal. The consequence is, that the Assembly has lost the confidence of the new settlers. The prevalence of republican ideas among a large proportion of the representatives in an Assembly which was called for six or seven years, and has been in existence for fifteen. The design to prevent new settlers from obtaining votes before a dissolution of the present Assembly. Remarks on the inequality of representation and the evil effects of the instruction that no additional representatives are to be elected, so as to increase the number. Is not in love with the idea of a very numerous representation, if power were given to have a transference made so as to equalize the number now in existence by lessening where it is in excess and increasing it where wanted. The state of affairs on the St. John arises from the neglect of the Assembly and delays in granting lands. The Chief Justice goes to the St. John to inquire into grievances; his character described at length in unfavourable terms. If the Chief Justice could be removed to the West Indies, why could not he (Chief Justice Smith) accept the office amongst a people with whose views he is in harmony. Asks that his influence be used on behalf of the people of St. John, who, although betrayed into stronger symptoms of discontent than prudence would justify, are grateful for what Sir Guy Carleton has done for them. In a postscript Aplin declares that he is not actuated by any personal feeling in what he has written. Col. Cor. N. S. vol. 15, p. 456

March 6, Halifax. Gibbons to Secretary of State (North). Sends account of what has passed respecting fees since he last wrote; the inconsistencies in Bulkeley's answers. Sends copies of correspondence. Thanks for fees established; the omissions in the decision arrived at by the Council.

Col. Cor. N. S. vol. 12, p. 72

March 6, Halifax. Same to Nepean. Encloses additional correspondence with Bulkeley secretary of the province, respecting fees. 75

Enclosed (A). Gibbons to Bulkeley, 28th February. Has learned that the decision of the question of fees to be paid to the Attorney General is unjust to that official, who is placed in an inferior position to other officers; desires, therefore, to have attested copies of the report of the committee of Council on fees for lands granted; of the resolves and minutes of Council on that report and of North's letter on the subject.

(B). Bulkeley to Gibbons, 3rd March. The committee has not yet reported to Council; the fees to be allowed him were not referred to that Committee, but determined in Council. The purport of North's letter respecting fees was communicated to him, but the King's instructions cannot be shown. He can see at the office the allowance of fees made by Council, but in the meantime sends extract for his present information. 80

The extract follows showing the rate of fees. 81

(C). A condensed copy of the extract in (B), the names of the Councillors present being omitted and the sum of £1 1s. 0d., given in the extract extended as £1 3s. 4. 82

March 10. Remarks by Rev. Mr. Mongan on the present state of Nova Scotia.

(1). The hardships of the loyalists from not at once obtaining their lands.

(2). Their motives for removing to Nova Scotia.

(3) The unpromising aspect of affairs.

Gives in detail the circumstances, the evils to be apprehended and the cure.

Col. Cor. N. S. vol. 15, p. 466

March 12, Halifax. Gibbons to Nepean. Sends copy of the form of grants of land in Nova Scotia, with clerical mistakes or omissions marked; he has not altered the grant till he shall receive further directions.

Col. Cor. N. S. vol. 12, p. 83

1784.
March 12, Whitehall. Secretary of State (Sydney) to Parr. Dispatches received and transferred by North. Cannot now send His Majesty's determination on many points, but recommends the refugees to his care; some are already dissatisfied at not being put in possession of lands promised. Should delay have arisen from want of surveyors, the engineer department might assist. His Majesty's satisfaction at the report of the flourishing state of Shelburne, St. John and other settlements. Had represented to the Treasury the intimation of bills drawn for lumber, &c.; has reason to believe they have been paid. The confirmation of Cunningham's appointment as receiver of quit rents must be made from the Treasury; recommends him to suspend all collections till he shall receive further orders. Shall consult Carleton as to proposed emigration from Connecticut and Cape Ann and about the vessel required for provincial service. A committee of the Privy Council has been established to regulate the public business lately executed by the Board of Trade. (An unsigned copy). Col. Cor. N. S. vol. 15, p. 152

March 16, Halifax. Parr to Nepean. Introduces Col. Lawrence, who has a thorough knowledge of the country; he will give information of the unreasonable request made by 55 gentlemen and others; if granted it would cause great complaint throughout the province. Col. Cor. N. S. vol. 12, p. 90

March 17, St. John. Lieut. Col. Hewlett to Secretary of State (North). Represents the necessity for continuing the allowance of provisions, owing to the delay the loyalists have experienced in getting on their lands, so as to be able to raise produce for their support. Col. Cor. N.S. vol. 15, p. 501

March 20, Halifax. Gibbons to Nepean. Further respecting fees. Encloses account which the Governor refuses to pay till he has received instructions. Encloses also copy of memorial to the Governor on the subject. Col. Cor. N. S. vol. 12, p. 92

Enclosed. Account of fees on grants of land. 94

Gibbons to Parr, 20th March. He is sending memorial, account, &c., to the Secretary of State and desires to know if he (Parr) has any remarks to make before the letter is closed. 96

Copy of the memorial to Parr. 97

(Duplicates of letter to Parr and memorial are in same volume, pp. 161, 162. Another copy of account at pp. 142, 171.)

March 21, Halifax. Parr to Gibbons. Cannot send answer to his memorial till he hears from North. 166

March 22, Halifax. Grant of land to Joseph Pynchon. 173

March 23, Halifax. Gibbons to Nepean. Death of Nesbitt, formerly Attorney General, which will remove the difficulties respecting the salary. 100

March 23, Halifax. Same to Collier. Death of old Nesbitt; there should be no more difficulty in his (Gibbons) receiving the salary. 101

March 23. Memorial of William Wylly, states his services and requests that he may be remembered in the arrangement of the law department in Nova Scotia. A. & W. I. vol. 597, p. 294

Certificate from General Alured Clarke, and one from Sir James Wright, dated 23rd March, as in the margin, follow. The other two documents are undated.

April 1, Halifax. Campbell to Secretary of State (North). Owing to the distress that would be caused by discontinuing the issue of provisions to the loyalists, he has determined to issue to all whose necessities require them till the King's pleasure is known. A. & W. I. vol. 406, p. 125

Enclosed. Memorial to Parr for a continuance of the issue of provisions to the Loyalists. 128

Resolution of Council to transmit memorial to Campbell and request him to grant relief. 133

1784.

Proclamation by Campbell that provisions will continue to be issued to those whose necessities require them. A. & W. I. vol. 406, p. 137

il 10, lifax. Parr to Secretary of State (North). Has been obliged to draw for £1,838 4s. 0d. for expenses of surveying, as the surveyors would not proceed in laying out lands for loyalists without payment. The accounts and a memorial from the chief surveyor enclosed.
Col. Cor. N. S. vol. 15, p. 183

Enclosures. 185 to 192

ril 10, lifax. Parr to Nepean. Wrote to North in August that he had given a warrant of survey to 55 persons recommended by Carleton for 5,000 acres each; his latest instructions restricted him to granting 1,000 acres to any one person, to which he has confined these 55; should complaint be made, he recommends that they receive no more, as otherwise great discontent would be caused among the other loyalists. Has offered 1,000 acres with 50 additional for each child. Notices that there has been a change of ministry with Lord Sydney at the head of the department. The arduous nature of his (Parr's) task in settling so many people, many of them very unreasonable. Col. Cor. N. S. vol. 12 p. 102

ril 10, lifax. Same to Secretary of State (Sydney). Congratulates His Lordship on his appointment. His efforts to settle the loyalists; the unreasonable demands of some of them. Not less than 11,000 arrived at Shelburne and as many at River St. John; they have some confounded attorneys among them. 105

ril 11, lifax. Same to Nepean. Letter received; was aware that malignant representations would be made against an angel, and was cautious to act with impartiality, indeed, could not do otherwise, as all were equally unknown to him. The difficulty of laying out lands with so few surveyors, many of them knocked up with being out in all weathers. Some of the loyalists refuse to carry the chain in marking their own lands, without exorbitant pay. Wants a steady private secretary; can get one here but there is no allowance and he cannot afford to pay him. 108

ril 12, lifax. Campbell to Secretary of State (North). Proposes to withdraw the troops from St. John Island, owing to the difficulties for relief &c.
A. & W. I. vol. 406, p. 141

ril 16, lifax. Parr to Secretary of State (Sydney). Dispatches of 12th March received. His concern that after every effort being made for the benefit of the loyalists, any of them should be so unreasonable as to express discontent. As many surveyors as possible were obtained, but the people for whose benefit they were engaged refused to give any assistance unless paid for it. Col. Cor. N.S. vol. 15, p. 193

ril 20, lifax. Campbell to the same. The apprehension of abuses in the issue of provisions has induced him to constitute a new board to check them; encloses order and instructions. An allowance should be made to the members for their services. A. & W. I. vol. 406, p. 145

Enclosed. Order constituting the board to examine the claims to provisions of disbanded officers and soldiers and loyalists who have become settlers. 149

Instructions. 153

ril 21, lifax. Campbell to Secretary of State (Sydney). Has paid, as recommended by Carleton, ten shillings a day to Cochrane, formerly fort major of a fortress in New Hampshire. Asks for instructions whether he is to continue this or not. 157

Enclosed. Order by Gage to pay Capt. Cochrane, commander of Fort William and Mary, ten shillings a day, dated 17th April, 1775, and authority from Carleton dated 29th November, 1783. 161, 162

ril 27, lifax. Fanning to Secretary of State (Sydney). Congratulates His Lordship on his return to office; expresses his loyalty and that of the people of Nova Scotia. Col. Cor. N. S. vol. 12, p. 113

1784.
April 29. Return of the names, titles, professions &c. made by the person praying for a recommendation by Sir Guy Carleton to Parr in favour of 55 persons for a grant of land amounting to 275,000 acres.
Col. Cor. N. S. vol. 15, p. 45

April 29, Halifax. Campbell to Secretary of State (Sydney). Sends return of provisions in store; has ordered purchase of a month's supply. Coffin, who delivers this, will give full information. A. & W. I. vol. 406, p. 165
Enclosed. Return of provisions. 169

April 29, Halifax. Same to Secretary of State (Sydney). Has appointed William Shaw to be Provost marshal. 173

April 30, Halifax. Fanning to the same. Suggests that when the province is divided, the new province should be called Pittsylvania in honour of Lord Chatham, whose character he and all other loyalists regard with enthusiasm.
Col. Cor. N. S. vol. 12, p. 115

April 30, Halifax. Extract from a letter by a gentleman in Halifax to his friend in London. The fertility &c. of Nova Scotia, but from the neglect of judicious measures the quantity of produce raised hardly suffices for the use of the inhabitants. The country will never do well till divided into two Provinces. Wishes General Fox were here, who loves the loyalists. The bounty of Britain has not had the good effect it should have had, owing to the method of distribution, not from want of integrity but from want of a thorough knowledge. 177

April —, Halifax. Parr to Secretary of State (Sydney). Sends copies of the Acts and journals of last session. Has sent Chief Justice Finucane to St. John River to adjust the differences which have arisen among the loyalists there. Col. Cor. N. S. vol. 15, p. 173
List of laws passed in the session from 6th October to 2nd December 1783. 179

May 1, Halifax. Parr to Nepean. Dispatches not received; is anxious to have answers relative to his conduct towards the loyalists; has spared no effort to assist them. Jealousies at Shelburne, owing to some wishing to grasp more land than others; Fanning goes to make inquiry. The necessity for a private secretary. Hopes the demand of the 55 gentlemen for a field officer's allowance to each will not be admitted, as former monstrous grants of land to individuals have been the greatest curse to the Province. Several who got lands at Shelburne, sold them and moved off to New England, which makes him cautious. Has been obliged to draw for £1,000 to pay several bills for lumber, boards &c. Recommends Capt. Oakes, of the 33rd, who can give information.
Col. Cor. N. S. vol. 12, p. 113

May 6, Halifax. Campbell to Secretary of State (Sydney). Has ordered musters at the outposts of disbanded soldiers, loyalists, &c., to put a stop to the abuses in the issue of provisions. A. & W. I. vol. 406, p. 221

May 6, London. Acadia Company to the same. Offer to give up their grants of land in Nova Scotia for the benefit of the loyalists, for new grants of 50,000 acres in the Bay of Chaleurs, the same on Tracadie river, the same in Shediac harbour, the same in Ramskeg, 100,000 in Miramichi and 15,000 in Isle Madame, being 315,000 in all.
Col. Cor. N. S. vol. 15, p. 165
List of the members of the Company. 171
Letter of the same date (6th May), signed by P. Affleck, accompanied the official letter. 172
Two other documents on the same subject, one being an unsigned copy of instructions to the governor, recommending the company to his protection. 177

May 10, St. James's. Report of Council on the division of Nova Scotia. 502

1784.
12. Parr to Sydney (private). Dissensions amongst the loyalists at
fax. Shelburne and the River St. John. The most liberal of the loyalists would not go to Shelburne and the River St. John, so he had to make magistrates in these settlements of men whom God Almighty never intended for the office, but it was Hobson's choice. These disturbances do not hinder them from cultivating their land or improving their fisheries.
Col. Cor. N. S. vol. 12, p. 121

12, Same to Nepean. Refers him to letter sent to Sydney respecting
ifax. jealousies, &c. Believes this condition of things will subside so soon as the most clamorous are separated; they are but few in number. On the river St. John the chief of the seditious are an attorney and an apothecary. Is afraid that at Shelburne the magistrates have not conformed to their oaths. 124

20, Campbell to Secretary of State (Sydney.) Has refused the demands
ifax. of Morse for the quarters occupied by Yorke, but has authorised him to hire a house at the public expense. Has been again obliged to purchase provisions. A. & W. I. vol. 406, p. 183

Enclosed. Morse to Campbell. Asserts his right to the house now occupied by Yorke and the mess of the 23rd, giving reasons. 187

Answer by Campbell, that the claim cannot be acceded to. 191

25, Secretary of State (Sydney) to Parr. Recommends the case of Capt.
itehall. Jadis, dispossessed of his lands on account of his loyalty.
Col. Cor. N. S. vol. 15, p. 195

28, Same to the same. Admiral Campbell, of Newfoundland, having re-
itehall. presented the saving that would be effected by the use of coal from Cape Breton, he (Parr) is to give orders to the chief magistrate to permit persons sent by the Governor of Newfoundland to dig and take away the quantity thought necessary for the island. 196

(Copy in Col. Off. N. S. vol, 1, p. 437).

29, Secretary of State (Sydney) to Parr. In consequence of the incon-
itehall. venience to the settlers on the St. John river, on account of the distance to Halifax, His Majesty has determined to divide the Province of Nova Scotia into two governments. "The line of separation is intended to be "drawn from the mouth of the Musquat or Mesequash river in the Bay of "Fundy to its source and from thence across the Isthmus into the nearest "part of the Bay Verte. The tract of country to the westward it is pro- "posed shall be called New Brunswick and the Eastern to bear its pre- "sent name and remain under your government. That the Island of "Cape Breton, upon which a lieutenant-governor, with a suitable e-tab- "lishment is to be placed, and that the Island of St. John, after reducing "the Civil Establishment of it to a parallel with Cape Breton, shall both "be annexed to the Province of Nova Scotia and be subordinate to you." The motive for the changes; his appointments not to be reduced by the division. The few remaining provinces have become of more importance; it is intended to place a person on the spot to settle matters without the delay of referring everything to Great Britain. Should he not be disposed to remain under the changed circumstances, will be very glad to do anything to provide for him (Parr) in any way that may be more agreeable. Col. Cor. N. S. vol. 15, p. 198

4, Same to the same. Time is to be given to Lieut. Col. Chalmers and
itehall. other officers of the late Maryland volunteers to make settlements of the lands granted them during their absence, rendered necessary for their establishing their claims before the commissioners. 203

6, Receipt and invoice for mathematical instruments shipped to Halifax.
don. Col. Cor. N. S. vol. 12, pp. 125, 126

7, Secretary of State (Sydney) to Parr. Dispatches received; after
itehall. granting an additional year's provisions, His Majesty is surprised that discontent should have been excited among the settlers on the St. John;

1784.

hopes that the means he (Parr) has taken will have the desired effect. He need say nothing at present on the subject of his (Parr's) letter No. 10 (of 1st March, respecting increased representation), as arrangements for representation must take place on the separation of the province. Approves of the course taken in declining to make the grants recommended by Carleton to be made to the 55 gentlemen, as any apparent partiality would excite discontent and jealousies. The Acts passed in session have been transmitted to the committee on trade. The accounts, &c., relating to surveying have been sent to the Treasury. The want of a vessel for provincial services has been supplied by the "Greyhound" from New York; the keeping of a regular establishment on board must be decided by the Treasury. Loyalists who desire to settle on the Island of St. John may be removed there, with the same allowance of provisions, &c., as if they had remained in Nova Scotia. The "Greyhound" may be employed for this, with a temporary establishment, till he shall receive directions from the Treasury. Col. Cor. N.S., vol. 12, p. 35

June 7, Whitehall. Secretary of State (Sydney) to Campbell. Dispatches received; his proceedings with respect to the issue of provisions approved of; the Treasury will no doubt make an allowance to the members of the board. The issue of provisions to the loyalists extended for a year. Directions to pay to Cochran, &c., and stationing a party at St. John Island, shall be sent by the Secretary at War. Instructions shall be sent from the proper department respecting the claim for duties on rum, &c.
A. & W. I. vol. 406, p. 37

June 10, Halifax. Grant to Joseph Wright and others. Col. Cor. N. S. vol. 12, p. 175

June 13, Halifax. Campbell to Secretary of State (Sydney). Asks instructions respecting the allowance of lodging money to officers.
A. & W. I. vol. 406, p. 130

June 14, Halifax. Same to the same. The demand for the payment of duties on rum, &c., having been again made, has appointed Blowers to defend any suit that may be raised. 19

June 14, Halifax. Same to the same. Has been obliged to purchase additional provisions; his embarrassment from want of instructions; sends abstract of purchases. The effect of constituting a board and ordering musters a satisfactory. Will visit the outposts; his proposals for arranging the troops for the season; state of the different settlements. Sends dispatches by Dr. Haliburton. 20

June 14, Halifax. Parr to the same. Transmits audited account of the expenses of surveying lands, also account of fees due on grants. Has not included the Attorney General's fees on the fiats, as he would not receive the certificate, because he (Parr) would not admit a charge of six shillings and nine pence for every person named in a grant, even when they amounted to 300, nor the charge for the whole fee insisted on, instead of the half fee prescribed by the instructions. Has, therefore, done without the fiats, as was the case in Georgia. Col. Cor. N. S. vol. 15, p. 215

Enclosed. Account for surveying. Account of fees due. 217, 218

June 15, Halifax. Extracts from letter (writer's name not given), complaining of the admission of American vessels and of the ease with which they can obtain British registers at Halifax. 304

June 15, Halifax. Gibbons to Secretary of State (Sydney). Complains of the obstacles thrown in his way in the execution of his office of Attorney General; prays that the duties and rights of his office may be ascertained, and that he may obtain His Lordship's support in the execution of the one and enjoyment of the other. Col. Cor. N. S. vol. 12, p. 127

June 15, Halifax. Same to Nepean on the same subject of the immediately preceding letter. Sends seven documents in reference to his complaints. 129

1784.

Enclosed. Bulkeley to Gibbons. Sends the minute of Council asked for. Col. Cor. N. S. vol. 12, p. 135

(Duplicate at pp. 169 and 170).

Minute of Council that the insertion of the names of grantees in the Attorney General's fiat is unnecessary. 136

Copy of table of fees posted in the surveyor's office. 137

(Duplicate at p. 194.)

Parr to Attorney General, 15th June. Denies that he is debtor for £552.10.0 to the Attorney General, "whatever government may." The Council has settled the rate of fees, which has been communicated by the secretary, who does not wish him to receive less than he is entitled to. 138

The account dated 14th June, amounting to £552.10.0 mentioned in Parr's letter. 139

(Duplicate at p. 202.)

Details of account, 20th March, the amount of which is in account at p. 139, (a duplicate at p. 94). 142

Gibbons to Bulkely, 14th June, for copies of all instructions and other official documents relating to the duties and rights of the Attorney General. 144

(Duplicate at p. 167.)

e 16, lifax. Parr to Secretary of State (Sydney). The Chief Justice has returned from the settlement on the St. John, having in a great measure settled the disputes, which were between the agents and the people. The great exertions of the loyalists in the province; several valuable fisheries will soon be established and mills erected to supply the West Indies with lumber. The quality of the land in the interior is much better than expected. 146

e 16, lifax. Campbell to the same. The excessive expenditure required in his position; asks for consideration, as it is more than his allowance warrants. A. & W. I. vol 406, p. 209

e 17, lifax. Same to same. Sends list of public buildings (barracks, &c.) necessary to be erected in the district under his command, with remarks. 213

Enclosed. List mentioned in letter. 217

e 18, lifax. Gibbons to Secretary of State, (Sydney). Further respecting the obstacles he meets with in his office of Attorney General. Col. Cor. N. S. vol. 12, p. 148.

Enclosed. "An abstract of the instances in which Mr. Gibbons, Attorney General of Nova Scotia, conceived himself Injured, oppressed "and Suffering Damage and His Majesty's Service affected." 152

e 19. Gibbons to Nepean. Transmits papers relating to his complaints; has also written Sydney on the subject. 159

(The enclosures to p. 205 are chiefly duplicates.)

e 21, ndon. Col. Allan Maclean to Secretary of State (Sydney). Urges the claim of the officers and men of the 84th for land on account of their services and on the ground of the promises made them, which cannot do any injustice to the provincials. 206

e 21, lifax. Parr to Nepean. Sends memorial from Hazen and Simonds for 150,000 acres on the River St. John, 5,000 of them to be close upon the town of Carleton. They have already about 60,000 acres; the evil effects of such extensive grants. Has refused to comply with the prayer of the memorial. 208

Enclosed. Memorial. 210

e 21, lifax. Secretary of State to Parr. Sends petition of Ebenezer Cutler, late of Massachusetts, to be quieted in possession of lands in Annapolis Bason; to grant him such relief as is consistent with instructions. Col. Cor. N. S. vol. 15, p. 212

1784.
June 26, London. Memorial by merchants that MacDonogh be appointed secretar the new government in Nova Scotia. A. & W. I. vol. 597,

July 7, Whitehall. Secretary of State to Parr. The measure for the separation of Scotia has been carried into effect and Col. Carleton has been app captain general, &c., of New Brunswick; Major Frederick Wall Barres is to be lieutenant governor of Cape Breton but that island remain under his (Parr's) government. Col. Cor. N. S. vol. 15,

July 8, Whitehall. Amherst to Secretary of State (Sydney). Sends letter from Colden, whose case he recommends.

The letter, dated 7th July, prays for the office of chief justice in Breton. A. & W. I. v

July 8, St. James's. Secretary of State (Sydney) to Parr. Transmits Order in C confirming Acts granting a free pardon to all subjects in Nova guilty of treason, &c., and for relieving his Majesty's subjects p ing the Popish religion from certain penalties.

Col. Off. N. S. vol. 1,

Enclosed. Order dated 2nd July.

July 24, Halifax. Parr to Secretary of State (Sydney). Application received settlement of Quakers at Passamaquoddy, on behalf of 500 or 600 er families who desired to remove to Nova Scotia from New Pensylvania and New Jersey; having been plundered and ruine apply for transport. Believing that any attempt to take inha from any of the States would be improper, refers the applicati consideration. Col. Cor. N. S. vol. 15,

July 26, Halifax. Same to Nepean. Has written to Sydney on the policy of f the country on the other side of the Bay of Fundy into a separat ernment. All the disturbances originated at the river St John, there are many turbulent spirits, who are full of groundless com lies and false representations; hopes, however, this state of thin soon be at an end. Col. Cor. N. S. vol. 12,

July 26, Halifax. Same to Secretary of State (Sydney). The loyalists are setti and clearing their land with great industry and expedition, all se ly happy and contented, except on St John River, where faction h vented several families from getting on their lands as early as ex hopes soon to surmount the difficulties and to see the people unit their great distance, being separated from the Peninsula by th of Fundy, makes it often impracticable for him to decide upon arising causes. Suggests therefore, that that part be formed separate government which might make them more contented and business to be carried on with more expedition. Arrival of a tra from St Augustine with 260 souls, "the poorest and most distres "all beings, without a shilling, almost naked and destitute of every "sary of life." He has given them warm clothing, with other to prevent them from perishing. Whatever sums have been give the beginning for the whole of these unfortunate people, have be out with the greatest economy. Lumber and surveying are th heavy articles. Has ventured to distribute garden seeds, seed po and fishing tackle to the most distressed. Complains of the delay swering his letters for guidance. In spite of his exertions, he learn complaints have been sent against him, but is conscious of the up ness of his conduct and His Lordship's impartiality and honour judge.

August 10, London. Return of American loyalists praying for a passage to Nova Sco the ship "Fair American." Col. Cor. N. S. vol. 15,

The first named on the list is Andrew McCormick in whose fav certificate is prefixed.

1784.
gust 10, Parr to Secretary of State (Sydney). Dispatches received, but not
lifax. the definitive treaty with the Netherland States. The additional supply of provisions to the new settlers has given universal satisfaction; that and the measures he has taken with the St. John settlers will suppress factious commotions. The Assembly will meet in October or November to renew certain Acts. Many of the provincial officers having gone to England, a number of whom will not return, grants have not been made them, but lands have been reserved in case of applications. The grants for the Maryland corps have been made. Is not aware of loyalists in Nova Scotia desiring to settle on St. John's Island.

Col. Cor. N. S. vol. 15, p. 232

gust 13, Same to the same. Grants have passed the seal for 4,882 families and
lifax. are preparing for 150 more, at four to a family, which is rather under, would give 20,120 souls. Several hundreds more are settled on their lands, but grants cannot be prepared for want of returns from the surveyors; altogether there are about 30,000 souls. Repeats the application for increased representation. 235

gust 13, Same to Nepean. Thanks for friendly letter. Denies emphatically
lifax. that he had given large grants of land to his family; had not taken to himself, family or friends a single acre, except 500, about a mile and a half from Shelburne, where he proposed to build a small house near a little cove, to which he could go once a year; the land about it is worth little or nothing. His idea was that the capital might be removed to Shelburne. His unpleasant duties, as he has no proper assistance. One of the surveyors fled for fear of being hanged by the populace; another drowned himself for fear of being detected in his villanies. Asks that some mark of the king's favour should be given him to show some of the designing rascals that His Majesty thinks he has done his duty.

Col. Cor. N. S. vol. 12, p. 220

gust 13, Petition of Joseph Gray, of Nova Scotia, and Ephraim Stannus, late
ndon. captain in the 64th, for a year's extension of the time for completing their conditions of settlement. 224

gust 20, Townshend to Governor of Nova Scotia. Transmits estimate.
itehall. Col. Off. N. S. vol. 1, p. 443

Enclosed. Estimate. 444

gust 21, Hamond to Secretary of State (Sydney). For the appointment to the
itehall. new establishment likely to take place. A. & W. I. vol. 597, p. 300

gust 21, Secretary of State (Sydney) to Parr. Dispatch of 14th June received
itehall. with accounts which he shall send to the Treasury. Some of the charges in the surveyor's account cannot be allowed; details of these are given in letters to the Treasury. Carleton, who carries this letter, may prefer the journey to his government by sea from Halifax, in which case he is to have the "Greyhound" placed at his disposal; he has already received his commission and instructions; his (Parr's.) new commission will be sent shortly. His Majesty's satisfaction that the disturbances on the St. John River have subsided and that the settlements there are likely to be in a flourishing condition. Col. Cor. N. S. vol. 15, p. 219

gust 23, Commission to Parr, Governor of Nova Scotia.
James's. Col. Off. N. S. vol. 1, p. 447

(The commission issued after the division into two provinces.

gust 25, Secretary of State (Sydney) to Parr. The "Fair American," Capt.
itehall. Miller, has been taken up to proceed to Nova Scotia with loyalists desirous to settle; 150 are on board who have been supplied with provisions for the passage. They are to be assisted on arrival.

Col. Cor. N. S. vol. 15, p. 224

gust 26, Campbell to Secretary of State (Sydney). Reports his proceedings on
lifax. his tour to the outposts. Has sent a detachment to Shelburne on the Governor's requisition. Industry of the loyalists.

A. & W. I. vol. 406, p. 225

1784.

Enclosed. Memorial from officers, &c., of disbanded troops for the establishment of a magazine of provisions, that at Fort Howe being 18 miles distant. A. & W. I. vol. 406, p. 2

August 26, St. James's. Additional instructions to Parr, for the survey of 2,000 acres to be reserved. Col. Off. N. S. vol. 1, p. 4

August 29, Halifax. Campbell to Secretary of State (Sydney). Sends extracts from his letter of 18th December, of such parts as have not been answered. A. & W. I. vol. 406, p. 2

Enclosed. Extract respecting exorbitant rents; for whole letter, see 18th December, 1783.

August 30, Halifax. Campbell to Secretary of State (Sydney). Dispatches received; thanks for approbation of his conduct. 2

September 1, Halifax. Accounts (two) of lands granted to disbanded soldiers, &c.

Sent to Nepean on——May 1791, with other papers respecting fees claimed by Gibbons; see that date.

September 1, Halifax. Parr to Secretary of State (Sydney). Dispatches received. Arrival of the transport "Sally," with passengers, of whom he had no advice; on the passage 39 had died and 12 more a few days after their arrival. Is doing what he can do to help them as they are destitute. Col. Cor. N. S. vol. 15, p. 2

September 2, Halifax. Campbell to the same. Arrival of great numbers of emigrants from the mother country who have applied for provisions; asks for instructions. A. & W. I. vol. 406, p. 2

September 2, Halifax. Same to the same. Sends copy of the instructions he received from Carleton, when he (Campbell) took command. 2

Enclosed. Instructions, dated 22nd November, 1783. 2

(The instructions contain a list of all the garrison officers, followed by list of chartered vessels, &c).

September 3, Halifax. Parr, to Secretary of State (Sydney). Sends memorial from proprietors in the County of Cumberland for consideration. Col. Cor. N. S. vol. 15, p. 2

September 3, Halifax. Same to Nepean. Has heard of private complaints against him and repeats his denial of having granted lands to himself or family, except the lot at Shelburne; the impartiality of his conduct; has been deceived by some men, chiefly surveyors; one he has discharged, more will follow. Accusations against him are laughed at in the province; his whole study has been to serve these unfortunate people. The rapid rise of Shelburne; other settlements are getting on exceedingly well, great industry being used in clearing the country, &c. Col. Cor. N. S. vol. 12, p. 2

September 6, Halifax. Same to the Secretay of State (Sydney). The disturbances at Shelburne, into which he had inquired, were caused by the ill conduct of a land surveyor, whom he had dismissed. Joseph Pinchon, one of the first settlers there, had sold his house and lands and returned to Connecticut, on his way to England to claim compensation for losses. Col. Cor. N. S. vol. 15, p. 2

September 8, Halifax. Same to Nepean. Has dismissed two magistrates at Shelburne, the one a surveyor, dismissed with disgrace, the other named Pinchese (Pynchon and Pinchon in other letters), after getting town, water and country lots, has sold them and gone to Connecticut; it is said he is about to apply for a further recompense, which he does not deserve. This is a specimen of the tricks played. Col. Cor. N. S. vol. 12, p. 2

September 8, Canso. Blank form of certificate that the master of a shallop has taken the oath of allegiance. Endorsed: "Mr. Binney's blanks given out by "wholesale to New England fishermen, price 2 dollars each!" 2

September 11. Extract from instructions to Parr, so far as they relate to churches and parishes. 2

1784.
tember 11. Morice to Nepean. Sends papers on the affair of Weekes, which show
ndon. the propriety of Jacob Bailey's being appointed to the deputy chaplainship of the garrison at Annapolis. A. & W. I. vol. 597, p. 302

"Case of Rev. Joshua Wingate Weekes, late missionary from the "Society for the Propagation of the Gospel in Foreign Parts," follows with copies of correspondence. 303

tember 20, Additional instruction for the administration of a prescribed oath to
James's. persons admitted to office. Col. Off. N. S. vol. 1, p. 489

tember 24, Campbell to Secretary of State (Sydney). Respecting the making of
lifax. roads in Nova Scotia; as the province will not assist, must draw for the extra pay to officers and men. Sends correspondence with the governor on the subject and also that respecting destitute people sent by the "Sally." Allowed the sick to occupy barracks on George's Island. A. & W. I. vol. 406, p. 285

Enclosed. Campbell to the Governor, dated 8th June. Had been instructed to assist in making roads; proposes to open a road from Annapolis Royal to Shelburne. 289

Parr to Campbell, 15th June. Heartily agrees with him as to the road from Annapolis to Shelburne. 293

Same to same, 23rd September. As only the sum of £100 is available for roads through the whole province, he cannot contribute to making and repairing roads in the county of Annapolis. 297

Campbell to the Governor, 22nd September. Can the sick by the "Sally" not be accommodated in the poor house or other provincial building? 301

Parr to Campbell, 23rd September. There is no room in the poor house; could the sick not be accommodated for a short time on George's Island? 305

tember 25, Campbell to Secretary of State (Sydney). Sends copy of letter from
lifax. Major Thompson, of the 57th, commanding at Annapolis Royal, respecting quarters; has ordered in the meantime that he shall occupy the house erected by the Ordnance for the use of the engineers. 309

Enclosed. Letter from Thompson respecting quarters. (The letter (a copy) is dated 30th, apparently an error, the covering letter being dated 25th).

tember 27, Campbell to Secretary of State (Sydney). Necessity for a vessel for
lifax. the service of the province. The "Maria," repaired and used for that purpose, has been driven ashore on the Bay of Fundy and injured, but Commodore Douglas and Commissioner Duncan refuse to repair her in the dockyard without a special order from the Admiralty; asks that the necessary order be obtained. 317

tember 29, Parr to the same. The rapid growth of population and scarcity of
lifax. fresh provisions had induced him to allow these to be imported from New England, to the satisfaction of everyone but some merchants of Halifax who were holding flour at £3.10.0, a cwt. and of farmers who kept cattle up at a high price. Memorials presented on both sides, one to prevent the importation of fresh provisions, the other stating the great injury that restriction would cause to fishing, agriculture and the lumber trade. Decision of the Council not to impose a restriction. Col. Cor. N. S. vol. 15, p. 257

tember —, Secretary of State (Sydney) to Parr. The lands granted to Capt.
itehall. Thomas William Moore, and Elizabeth, widow of the late Capt. Andrew Watson, of DeLancey's brigade, are to be restored to them on payment of quit rent. Sends, for consideration and action, memorial of John Pagan for division of his share of land on Pictou River. He is to have all accounts for surveys carefully examined before payment. 226

1784.
October 1, Whitehall. Secretary of State (Sydney) to Parr. The "Racehorse," with dispatches for Governor Patterson of the Island of St. John, will call at Halifax. A messenger is to be sent to the island, who is to wait for an answer, which the "Racehorse" will bring back.
Col. Cor. N. S. vol. 15, p. 241

October 1, Whitehall. Nepean to Parr. Respecting dispatches by the "Racehorse."
Col. Off. N. S. vol. 1, p. 490

October 4, Halifax. Parr to Secretary of State (Sydney). Has granted lands to Capt. Jadis, in return for those on St. John River he had formerly possessed; he (Jadis) wishes for the restoration of lands forfeited and a money compensation, which he (Parr) cannot give, although the case deserves much compassion.
Col. Cor. N.S. vol. 15, p. 251

October 5, Whitehall. Secretary of State (Sydney) to Parr. The Act exempting spirits &c. for the use of the forces has been allowed to expire; desires that the Assembly be recommended to revive the Act and insert a clause for the relief of the Commissary from payments made since its expiry. 243

October 5, Whitehall. Same to the same. It would be improper to assist in removing the Quakers from the United States, but if any come he may grant them lands. His concern at the great mortality on board the "Sally"; the care taken on their being allowed to go on board; description of the people; his conduct in assisting them approved of. The reannexing of the county of Cumberland not likely to be complied with, as the separation has already taken place. In respect to the representation from Campbell, he (Parr) is authorized to grant lands as compensation to persons who have given up properties for the use of the Crown on the River St. John. 245

October 5, Halifax. Account of lands granted to disbanded soldiers.
(See enclosures in Gibbons to Nepean of—May 1791).

October 5, Whitehall. Secretary of State (Sydney) to Campbell. Dispatches received; that of 18th December will be attended to. The amount for the purchase of provisions shall be discharged; hopes that the quantity sent from Canada and Ireland will be sufficient till spring, when a further supply shall be sent. His directions for erecting a store and wharf at St. Anne's Point and the agreement made with the propietor of land at Fort How approved of. The duties on spirits, &c., can be collected under the laws of the province, but Parr has been directed to ask the Assembly to revive the Act for exemption and not to press for the duties now due. The Board of Ordnance, to which the question of public buildings has been transferred, will instruct the proper officers. Shall send copy of instructions given to Parr, respecting emigrants by the "Sally." Has no doubt the refusal to send troops to Passamaquoddy was well considered. No increase can be made to his allowance, to enable him to meet the additional expense he represents. A. & W. I. vol. 406, p. 273

October 6, Whitehall. Same to Governor of Nova Scotia. Part of Nova Scotia to be made a separate province to be called New Brunswick. Commission and instructions sent for the province of Nova Scotia, with the Island of St. John added. A separate legislature to be constituted in Cape Breton. Remarks on the different clauses of the instructions.
A. & W. I. vol. 408, p. 1.
(Copy in Col. Off. N. S., vol. 1, p. 491. For commission see 23rd August).

October 8, Whitehall. Secretary of State (Sydney) to Parr. No reports to his disadvantage have left an unfavourable impression; on the contrary, every individual with whom he has conversed has done full and ample justice to his (Parr's) good intentions and integrity. Some dissatisfaction is natural to men driven from their homes with their families and reduced to an inferior position from that formerly held.
Col. Cor. N. S. vol. 15, p. 253.

1784.
October 8, Halifax. Parr to Secretary of State (Sydney). Asks for orders to have the "Greyhound" repaired. Col. Cor. N. S. vol. 15, p. 269

October 9, Halifax. Same to Nepean. Steps should be taken to prevent the Lord Mayor of London from sending the sweepings of gaols, as he did lately in the "Sally" transport. The fine weather has been greatly in favour of the loyalists clearing the land and getting under better shelter; all are doing well, except an envious few; has supplied boards, and clothed several of the naked. Does not think it worth while to comment upon the false statements made against him. Col. Cor. N. S. vol. 12, p. 233.

October 10, Halifax. Sampson Salter Blowers to Secretary of State (Sydney). Thanks for being appointed Attorney General of New Brunswick. 235

October 10, Cork. Memorial from Rev. Joseph Bennett for the restoration of his pension, which has been stopped owing to a false report of his death. A. & W. I. vol. 597, p. 318.

October 30, Halifax. Campbell to Secretary of State (Sydney). Sends return of disbanded men and loyalists settling in Nova Scotia and New Brunswick; the abuses in the distribution of provisions have been stopped. A. & W. I. vol. 406, p. 321.

Enclosed. Return. 325

November 4, Treasury. Steele (Secretary) to Parr. Order for payment of fees to Gibbons at the rate of one fee for each grant.

(See, for letter, Gibbons to Nepean,—May, 1791.)

November 4, Halifax. Parr to Secretary of State (Sydney). Dispatches brought by Governor Carleton received. Carleton will inform him of the route he intends to take to reach his government, the "Greyhound" not being fit to go to sea, and there being no money for the necessary repairs. Col. Cor. N. S. vol. 15, p. 267

November 5, Halifax. Campbell to the same. Respecting the salary to Winslow, acting as his secretary. A. & W. I. vol. 406, p. 329

November 11, Halifax. Parr to the same. Dispatches by the "Racehorse" forwarded to. Patterson. Memorial of the chief land surveyor forwarded and recommended. 271

Enclosed. Memorial. 272

November 12, Halifax. Campbell to Secretary of State (Sydney). Steps taken to secure Government property occupied by Messrs. Cochran. A & W. I. vol. 406, p. 333.

Enclosed. Judgment in the case. 337

November 13, Halifax. Parr to Secretary of State (Sydney). Sends lists of fees on land grants from 1st April to 30th June, and from 1st July to 30th September, 1784. Col. Cor. N. S. vol. 16, p. 1.

Enclosed lists. 2, 4

November 15, Halifax. Parr to Secretary of State (Sydney). Has stopped further supplies of lumber for the settlements. A very considerable reduction will soon take place in the expense of surveying. Col. Cor. N. S. vol. 15, p. 275.

November 16, Halifax. Same to the same. Dispatches brought by Major Des Barres received, including commission, instructions, &c. 276

November 16, Halifax. Campbell to the same. Thanks for the King's approbation. Refers to previous letters for information. A. & W. I. vol. 406, p. 341

November 17, Halifax. Elias Marshall to Nepean. Sends some crambrays (cranberries) and offers his services. Col. Cor. N. S. vol. 12, p. 237

November 17, Halifax. Parr to the same. Has sent to the Treasury his account for fees on land grants; believes the rate to be too low, but any change will not have much effect, as the grants are now nearly closed. 238

Enclosed. Account of fees due on land grants to refugees from 1st April to 30th September, 1784. 241

(The Governor's half fees for the six months amounted to £1,771 15s 6d).

1784.
March 20, Shelburne. Rev. W. Walter to Secretary of State (Sydney). His arrival after a tedious passage. The improvement visible in the settlement; thinks, however, it has really declined, as the plan of the town was too extensive, and the great body of the people only temporary inhabitants, who have removed to their lands. The fishery, if prosperous, will help to establish the town. There is no church, owing to embarrassments, with which he would not trouble His Lordship.
Col. Cor. N. S. vol. 16, p. 262

November 23. Jadis to the same. States his case, the losses he has sustained and his services; would have waited on His Lordship, but was ill.
Col. Cor. N. S. vol. 15, p. 263

Parr to Nepean. Introduces Chief Justice Finucane, who will give him and Sydney full information respecting the province. Sends account of fees on land grants; he and the Secretary are only to receive half fees; asks for the whole. Col. Cor. N. S. vol. 12, p. 244.

Enclosed. Abstract of fees to 31st March. 247

December 2, London. Cumberland, agent for Nova Scotia, apparently a report to the Governor and Council on various subjects to be brought by him before the Government.

(1). The division of the Province.
(2). A free port.
(3). Whale oil.
(4). Wine, oranges, &c.
(5). Commissions of the Chief Justice and others. A report is made of his action on each of these subjects. 532

Attached is a copy of his memorial on the encouragement to be given to the trade in whale oil (Another copy is at p. 529). 541

December 3, Halifax. Parr to Sydney (private). Has divided the county of Halifax into two and called the eastern part Sydney, which comprehends the country upon the Gut of Canso and all the northern part of the peninsula.
Col. Cor. N. S. vol. 16, p. 6

December 5, Halifax. Gibbons to Nepean. His gratitude at being appointed Chief Justice of Cape Breton. 260

December 6, Halifax. Parr to Secretary of State (Sydney). Has received dispatch with additional instructions. No money is paid by the Treasury, except by warrant from the Governor. How money Bills are assented to. The attempt to stop the allowance of ten shillings a day to the members of the Assembly, defeated; only members from the country receive the allowance. Sends table of fees, with remarks; until the making of grants to the refugees, the fees did not pay the expense of clerks, and when this business (the settlement of loyalists) has ceased, there is no prospect of any greater emolument than before; submits the consequence of the officers of the Government being dependent on the people or their representatives. Orders are given to survey a tract of 2,000 acres for His Majesty's service, but the greater part of the best lands being granted, it will be some time before a selection can be made. Divisions of counties made for the purpose of representation: the addition of members will be six, but New Brunswick taking off four, the total number will be 39, that is, two more than formerly. 7

Enclosed. Table of fees on land grants. 15

December 11, London. Memorial of Cumberland, praying for encouragement to the trade in whale oil.

(For original copy, see Cumberland's memorial of 2nd December.)

December 11, Annapolis Royal. Williams to Brudenell. Provisions for the black people. Enclosure marked E (should be F), following report of the Commissioners in Bulkeley's letter of 19th March, 1792, which see.

December 12. Mrs. Jadis to Secretary of State (Sydney). Appeals for relief.
Col. Cor. N. S. vol. 15, p. 266

1784.
December 20, London. Morice (Society for the Propagation of the Gospel) to Secretary of State (Sydney). Rearrangement of the missionaries. Panton to go to the parish of St. Patrick, Shelburne. Col. Cor. C. B. vol. 63, p. 39

December 23, Halifax. List of lands escheated in Nova Scotia, from 25th January, 1782, to date in margin. Col. Cor. N. S. vol. 12, p. 248

December 27, Halifax. Parr to Secretary of State (Sydney). Civil order established in the new settlements; satisfactory progress of agriculture and fishery. The number of settlements and population in each; the total population is given as 20,400, namely:—

In and about Halifax	1,200
To the eastward as far as Chedabucto	2,000
Thence to the Isthmus of Cumberland	900
At Cumberland and Partridge Island	700
In and about Windsor	800
In the county of Annapolis	4,000
On the coast westward of Halifax	800
In the district of Shelburne	10,000
	20,400

Requests that leave be continued to supply Halifax with coal from Cape Breton. Has received no information as to the decision in the case of John Collins, convicted of murder, with James and Mary Collins, but respited. The Assembly has declined to pass an Act exempting from duty rum and molasses for the troops, but as no suits can be entered without his assent, he shall take care that no duties are enforced. Col. Cor. N. S. vol. 16, p. 18

December 28, London. Morice to Nepean. Should Weekes call, the papers transmitted would guard against any misrepresentation he might make. A. & W. I. vol. 597, p. 320

December 28, Halifax. Parr to Secretary of State (Sydney). The session of the Legislature closed on the 8th; sends list of Acts passed, also copy of Act on representation, for the more early knowledge of His Majesty, for his pleasure thereon. Col. Cor. N. S. vol. 16, p. 22

Enclosed. List of Acts passed during the session from 1st November to 8th December. 24

December 29, Halifax. Campbell to Secretary of State (Sydney.) Transmits correspondence on the waste of timber on reserved lands at Shelburne; its importance will be explained by Lawson, who delivers this dispatch. A. & W. I. vol. 406, p. 345

December 29, Halifax. *Enclosed.* Correspondence. 349 to 362

Campbell to Secretary of State (Sydney). The difficulty of making returns from the dispersed situation of the troops, the demands of disbanded soldiers and the multitude of loyalists arrived and arriving. This makes him renew his application for the appointment of a Deputy Adjutant General; recommends Capt. James Campbell. 365

December 31, Halifax. Amount of fees due to Gibbons in respect to grants of land in 1784. (See enclosure in Gibbons to Nepean—May, 1791).

No date. Proposed trade instructions to Parr. A. & W. I. vol. 597, p. 321

List of fees from grants of land as taken in Nova Scotia from 1764 to 1784. Col. Cor. N. S. vol. 32, p. 149.

Duplicate follows.

General instructions. A. & W. I vol. 597, p. 338

Edward Winslow to Nepean (?) Complains bitterly of delay in granting lands to the loyalists and disbanded troops and of the conduct of the governor who, he thinks, should be replaced by some man

1784. of common sense. (The document is an extract, with neither date nor address. From internal evidence, it appears to have been written towards the end of 1784). Col. Cor. N. S. vol. 12, p. 3

Wetherhead to Nepean. Sends list of articles proper to be sent for the loyalists from New York to Nova Scotia A. & W. I. vol. 597, p. 421

Enclosed. List, signed by Wm. Franklin, Samuel Seabury and John Wetherhead. 422

(A date is endorsed in pencil on the letter "23rd May, 1784," but on what authority does not appear; the only date on the letter is "Friday noon," there is none on the list).

A clause proposed to be inserted in the Act for regulating the American trade. Col. Cor. N. S. vol. 15, p. 499

Remarks (addressed to Nepean) by Jadis at Halifax in 1784, with recommendations respecting the settlement of Nova Scotia and New Brunswick. 507

Remarks on the trade between the British West Indies and the United States of America, previous to the separation. 512

Secretary of State to Parr. To appoint Dr. Cole assistant surgeon with the usual pay. 277

1785. Jottings respecting the boundaries. 275

January 2, Halifax. Parr to Nepean (private). The loyalists are at last contented and getting on exceedingly well in clearing and cultivating their lands. The trouble and anxiety he has had, but had acted towards these unfortunate people with fidelity and impartiality. The relief he has felt at the removal of Gibbons from the attorney-generalship; the much higher character of his successor, Blowers. Had been obliged to allow the importation of provisions from the United States, or the people would have starved; causes of the scarcity. Had written to Sydney of the fears of the King's servants that their appointments were to be reduced. They cannot be kept too independent of the people, and the high price of provisions will not admit of the curtailing of incomes. Col. Cor. N. S. vol. 16, p. 27

January 3, Halifax. Same to Secretary of State (Sydney). Gibbons, having received mandamus to be chief justice of Cape Breton, has refused to act on His Majesty's behalf at the Court of Quarter Sessions. Has therefore appointed Blowers to be Attorney General in his room. 31

January 5, Halifax. Same to the same. Loss of dispatches sent by Patterson, Lieut. Governor of St. John Island, owing to the upsetting of a boat. 33

(This letter is dated 1784, but a reference to letter from Parr of 11th November, 1784, shows this to be an error).

January 6, Whitehall. Secretary of State (Sydney) to Governor of Nova Scotia. Act for the relief of persons against whom judgments have been obtained for losses sustained by depredations of the enemy, has been approved of. A. & W. I. vol. 408, p. 15

February 25, Whitehall. Same to the same. Sends commission from the Admiralty appointing commissioners for the trial of pirates in Nova Scotia and New Brunswick. Col. Off. N. S. vol. 1, p. 503

March 3, Whitehall. Same to Parr. Sends memorial from Paul Maylor administrator to the late Lord Charles Greville Montagu, for the lands alloted to him, with instructions to have these granted for the benefit of the children in the names of the Duke of Manchester and Maylor. Col. Cor. vol. 16, p. 35

(A duplicate, containing errors in copying is at page 300. A copy is in Col. Off. N. S. vol. 1, p. 503.

March 5, Shelburne. Gray to Morris. Report on German settlers (Rohl and associates.) Enclosed in Parr's letter of 8th November, 1788, which see.

March 8, Whitehall. Secretary of State (Sydney) to Campbell. Dispatches received; cannot recommend that the expenses for roads should be defrayed by the

1785. government. The expenses for the distressed loyalists are justifiable and will be defrayed. The Ordnance buildings can be occupied by Major Thompson until they are wanted for their original purpose. Orders shall be given for the repair of the "Maria" in the dock yard; she is to be employed in the public service generally. Is happy at the increase of population; hopes the once unfortunate refugees will find a comfortable asylum. The Act of Parliament will not allow Winslow, in his affidavit for half-pay, making an exception for his employment as secretary to the Commander-in-Chief. The reclaiming of the lands granted to Finucane approved of; has transmited to the Ordnance representation of the necessity to build a store on that spot. Approves of the orders respecting the timber reserves. The appointment of a deputy adjutant general cannot be made in the meantime. A. & W. I. vol. 406, p. 369.

rch 8, itehall. Secretary of State to Parr. Dispatches received. The King's satisfaction that the disagreements amongst the new settlers have subsided, that civil order has been restored and that agriculture and the fisheries promise soon to be flourishing. His hopes that the province will be found a comfortable asylum for those who have taken refuge there. The supply of lumber cannot now be a measure of necessity; economy to be observed in respect to all other supplies to the loyalists. Should Pinchon apply for compensation for losses, his designs shall be frustrated. Can see no reason to change his opinion that the land surveyor's memorial for payment of expenses should be rejected; reasons given. The discharge of the surveyor at Shelburne it is hoped will operate as an example to the rest. The present system of supplying Halifax with coal may continue but, as regulations are to be made, the privilege is only temporary. Dispatches from Patterson arrived on the 26th of last month, after many accidents. The appointment of Blowers confirmed; the removal of Gibbons was necessary; it was only on the particular application of des Barres that he was appointed Chief Justice of Cape Breton, where, it is to be hoped, he will not give room for further complaints. A free pardon sent for John Collins. Col. Cor. N. S. vol. 16, p. 37

rch 8, itehall. Same to the same. Has received dispatch enclosing letter from Hancock, governor of Massachusetts, that the Congress of the United States had appointed commissioners to ascertain the boundary line between Nova Scotia and the United States, who reported that British subjects had encroached on lands on the western side of a river which they called the St. Croix. When he (Sydney) was negotiating at Paris, the river supposed to be called the St. Croix, fixed on as the boundary, was the most considerable river falling into the bay of Passamaquoddy, not only from its breadth at the entrance, but from extending to the greatest distance into the country. No dependence could be placed on Mitchell's plans, published in 1755, the only correct chart yet obtained is from the survey of 1772, under the inspection of Holland, of which a copy shall be sent, which leaves no doubt which of the two rivers must be considered as the line of separation. Hurd, who was employed with Wright on the survey, is ready to affirm that not only they (the surveyors), but all the inhabitants on the coast considered the Scudiack as the Great St. Croix and the Magagdawe as the Little St. Croix; His Majesty's ministers consider the matter cannot bear the smallest argument, nor can they admit that the river fixed upon by Hancock can be considered as the line of separation, reasons being given. 46

(The letter from Parr with enclosure from Hancock is noted as missing. The map is in case 42, No. 28; it is about 6ft. x 3 ft., gives the outlines of the coast and is of one colour.)

rch 9, itehall. Nepean to Parr. Recommends that Major Cortland, late of the 3rd Battalion of the New Jersey Volunteers may have his land in the most favourable situation for having his children educated. He has

1785. fixed on the road between Halifax and Shelburne as the most likely situation to effect this object. Col. Cor. N. S. vol. 16, p. 37

March 11, Whitehall. Secretary of State (Sydney) to Parr. Allan Maclean, late colonel of the 84th, has represented that by additional instruction to the governors of New York and North Carolina of 3rd April, 1775, the officers and men of the two battalions were entitled to the same extent of land as was settled by the proclamation of 1763. He (Sydney) sends copy of the instructions with directions to grant a similar amount in Nova Scotia to what the officers and men would have received in New York and North Carolina. 39

(Copy in Col. Off., N. S., vol. 1, p. 505.)

March 31, Manchester. Memorial of the third and fourth battalions of the 60th, for the issue of the eight months provisions due them. 265

Return of the names and numbers. 266

March —. Millidge to Parr. Respecting lands for the black people. Enclosed in Bulkeley's (marked C) of 19th March, 1792, which see.

April 9, Halifax. Parr to Millidge. Recommends the black people to a continuance of his kindness. Sends memorial (marked A) letter to Millidge (marked B) Enclosed in Bulkeley's of 19th March, 1792, which see.

April 24, Whitehall. Secretary of State (Sydney) to Parr. James Bruce to be appointed to the Council. Col. Off. N. S. vol. 1, p. 506

Campbell to Sec. of State (Sydney). Dispatches of 8th March received. Abuses in the consumption of provisions by the settlers. In consequence of the appointment of Freke Bulkeley to the office of comptroller of army accounts and the supersession of Wemyss, the board declined to act, so he has dissolved it; sends letter from the board respecting Wemyss, who is now without support; recommends his case for consideration. Does not approve of Bulkeley's appointment and cannot be answerable for his conduct. A. & W. I. vol. 406, p. 381

Enclosed. Board of accounts to Campbell on the great services of

April 29, Halifax. Wemyss, as deputy commissary of public accounts. (The letter is dated the 28th, but was enclosed in Campbell's of the 27th.) 387

April 27, Halifax. Parr to Secretary of State (Sydney). Has received assent to act for the relief of subjects against whom judgments had been recovered on account of losses sustained by the depredations of the enemy. Has been using every effort to prevent the success of collusion in respect to American vessels obtaining British registers. The dispute at Shelburne ended; those in the settlements are chiefly among the people themselves respecting the division of lands; these occasion delay and expense. Arrival of 194 white and black men, women and children from St. Augustine, naked and destitute; shall do what he can for them. Sends copies of the Act and of the survey of 2,000 acres in accordance with instructions of 26th August, 1784. Col. Cor. N. S. vol. 16, p. 79

April 30, Halifax. *Enclosed.* Copy of warrants for survey for 2,000 acres on the Eastern River, emptying into Pictou Harbour. 73

Sketch plan. 75

Campbell to Secretary of State (Sydney). Sends estimates of the expenses of repairing the barracks at Fort Cumberland; their ruinous condition. The dangerous position of the powder, stored in a wooden building exposed to fire. Hartcup, engineer, who delivers this, can give information about ordnance stores, etc. A. & W. I. vol. 406, p. 391

May 1, Whitehall. *Enclosed.* Note from Captain Hamilton at Fort Cumberland, with estimate of expenses for repairs to barracks. 395

Estimate. 399

Secretary of State (Sydney) to Governor of Nova Scotia. How the Appropriation Bill should be passed. Remarks on fees. The Surveyor General's accounts for the survey of the lands for loyalists are very

1785. vague. No accounts have been received, as ordered, from the Secretary's and Registrar's offices. A. & W. I. vol. 408, p. 19

1, tehall. (Copy in Col Off. N. S. vol. 1, p. 507.)
Secretary of State (Sydney) to Governor of Nova Scotia. Comments upon and disapproves of the table of fees, and states that bills drawn for certain of them will not be paid. Accounts, ordered to be transmitted, have not been received. Col. Cor. N. S. vol. 16, p. 62

3, fax. Morris to Nepean. States the largely increased labour and expense in surveys for the settlements of the loyalists; his insufficient allowances,

4, fax. and the advances he has made; asks that his case be considered. 267
Campbell to Secretary of State (Sydney). In consequence of representation by Parr of the wretchedness of the refugees from St. Augustine, certified by the board of claims, after examination, he had issued a year's provisions and necessaries, but could not issue clothing. A. & W. I. vol. 406, p. 415
Enclosed. Letter from Parr. 419

7, fax. Report of the board of claims. 423
Campbell to Secretary of State (Sydney). Calls attention urgently

9, burne. to the want of direct communication with Halifax; the long delay in the receipt of dispatches under the present arrangement. 427
Alexander Leckie and John Tench, on behalf of the Chamber of Commerce, to Brook Watson. The proposed separation of Nantucket; if it cannot be effected, the inhabitants propose to emigrate to some part of the British dominions, Nova Scotia preferred, as best suited for whale fishing. Should Nantucket be separated, all the whale oil from the Northern States would be passed through and be entered free of duty in Great Britain. If prevented, it might be the means of bringing the inhabitants to Nova Scotia and adding to its prosperity. Suggests that all of the inhabitants who prove their loyalty should receive the same grants, &c., as other settlers. Proposed bounties on shipbuilding, &c. Statement showing the progress made in the lumber industry, in the fishing, &c. Col. Cor. N. S. vol. 16, p. 273

10, fax. (Enclosed in letter from Clarke to Watson, 25th May.)
Parr to Secretary of State (Sydney). Transmits memorial for a regular mail packet to Halifax; the present mails come by the circuitous passage by way of New York. 76

25, fax. *Enclosed.* Memorial from the merchants of Halifax. 78
James Clarke to Brook Watson. Transmits a memorial he has received unsealed from Shelburne; received at the same time a memorial for the Governor, stating that there was a probability that the inhabitants of Nantucket would ask to be separated from Massachusetts, and to be considered either as a neutral island or an appendage of Great Britain. The ruinous consequence of this to the province, as it would be through Nantucket all the whale oil would pass free of duty to Great Britain. The advantages that would arise from bounties on ship-

11, fax. building, and on the exportation of fish and lumber. 270
Parr to Secretary of State (Sydney). An additional supply of provisions needed for the new settlements. Shall attend to instructions respecting the grants to the officers and men of the 84th. Has received dispatches, with copies of printed Acts. Has added to the Council Thomas Cochran, Speaker of Assembly, and Charles Morris, chief land

22, fax. surveyor. 81
James Bruce to Nepean. His arrival; the difficulties he met with in

24, fax. obtaining his seat at the Council, ordered by Sydney. Asks that a mandamus be sent. 279
Campbell to Secretary of State (Sydney). In consequence of many disbanded soldiers and loyalists having quitted their abode, has ordered a muster to prevent abuse in the issue of provisions. The rum issued

1785. to troops at the outposts being now expended spruce beer is substituted. The crew of a schooner at Chedabucto, loaded with provisions for the loyalists, rose on the master and ran away with the vessel. Arrival of provision vessel from Cork, with the last of the supplies till May last. What is to be done this year? Repairs to the "Maria," survey ordered for barracks at the Oromucto (Oromocto) River asked for by Carleton, Governor of New Brunswick. A. & W. I. vol. 406, p. 432

June 25, Halifax. Campbell to Secretary of State (Sydney.) Sends memorial from officers of engineers; shall continue the usual allowance of quarters, fuel, &c., till he receive orders to the contrary. 436

Enclosed. Memorial for continuance of the allowances. 439

June 28, Halifax. Fanning to Secretary of State (Sydney). The advantage of having another associate judge appointed; recommends Lieut. Col. Stephen De Lancey for the office. Col. Cor. N. S. vol. 16 p. 282

July 2, Whitehall. Secretary of State (Sydney) to Governor of Nova Scotia. Transmits Order in Council approving of Act passed last December in Nova Scotia. A. & W. I. vol. 408, p. 26

Order, sanctioning the Act to fix the number of representatives. 27
(Copy in Col. Off. N. S. vol. 1, pp. 513. 514)

July 25, Halifax. Henry Newton to Secretary of State (Sydney). Respecting the charge of obtaining fraudulent registers for vessels belonging to the United States and the measures to stop the practice and punish the offenders. Col. Cor. N. S., vol. 16, p. 283

July 26, Halifax. Memorial of Quakers from Nantucket, who had removed to Nova Scotia to carry on whale fishing, asking that, as they are now British subjects, the duty on foreign oil may not be imposed on their products. A. & W. I. vol. 358

July 26, Halifax. Charles Morris to Millidge. Respecting lands for the black people. Enclosure (marked D) in Bulkeley's letter of 19th March, 1792, which see.

July 27, Halifax. Parr to Secretary of State (Sydney). Transmits memorial of inhabitants of Nantucket, who propose to become residents in Nova Scotia. Col. Cor. N. S. vol. 16, p. 87

Enclosed. Memorial and answer to each clause in parallel columns. 89

July 28, Whitehall. Nepean to Governor of Nova Scotia. Sends estimate. Col. Off. N. S. vol. 1, p. 516

Enclosed. Estimate for 1785. 517

July —, Whitehall. Secretary of State to Governor of Nova Scotia. The naval officer's reports have not been transmitted for some years; orders that they be sent. A. & W. I. vol. 408, p. 30

August 1, Halifax. Parr to Nepean (?) His gratification at the arrival of Sawyer. Uneasiness at not receiving letters, which may still be in New York; is anxious to know the King's pleasure about additional representatives. The affair of the Quakers of Nantucket is of the greatest moment to Nova Scotia; their returns from spermaceti whale oil are £150,000 per annum. Prospects of a good harvest; many of the poor loyalists will require a further supply of provisions. Col. Cor. N. S. vol. 16, p. 94

August 1, Halifax. Same to Secretary of State (Sydney). Introduces Rev. Mr. Breynton, rector of St. Paul's, Halifax. 97

August 19, Halifax. Same to the same. Has appointed Isaac Deschamps, senior puisne judge, to succeed Chief Justice Finucane, and recommends that he be confirmed. 99

August 20, Halifax. Same to Nepean. Death of chief justice Finucane. Urges sending a successor as honest and able. 96

August 27, Whitehall. Secretary of State (Sydney) to Governor of Nova Scotia. Fraudulent clearances of whale oil by traders of Nantucket, Marblehead, Boston and other parts of the United States, to be put a stop to. 85
(Copies in A. & W. I., vol. 408, p. 32, and Col. Off. N. S. vol. 1, p. 515.)

5.
29. Campbell to Secretary of State (Sydney). Has sent the 54th to New Brunswick and the 33rd to Cape Breton, in accordance with requisitions respectively of Governor Carleton and Lieut. Governor DesBarres. Has arrived at Charlotton (Charlottetown), where he had ordered the barracks to be repaired. A muster of the loyalists on St. John Island; they shall be victualled when this is completed. The fertile soil of St. John Island; it only requires encouragement to be valuable. Had reached Spanish River and anchored off Sydney on the 4th of August. The industry of the 33rd in clearing a wilderness for their encampment; is afraid they cannot be under cover till late in the season. There seems little prospect of the settlement of Cape Breton getting on; the small population. Reached Shelburne on 21st July (*sic.*) (He did not leave Halifax till the 25th of July and arrived at Sydney on 4th August). The enormous expense of the barracks there (Shelburne); would not incur the additional expense of removing them from their present situation as asked for by the inhabitants. A. & W. I. vol. 406, p. 443

ber 8, ne. The magistrates of Shelburne to Parr. Send memorial for presentation to the King, for the continuance of provisions to the loyalists for two years longer and for a grant of money to open roads. The difficulty of securing land for cultivation has delayed the loyalists in obtaining produce for their support and all their savings have been nearly if not entirely expended. About £5,000, with their own exertions, would be necessary for roads. A great road from Shelburne to Halifax, along the sea coast, striking the road from Halifax to Windsor at the distance of 100 miles, would be of the utmost importance, in fact indispensably necessary. The completion of the great road from Shelburne to Annapolis, which has been cut with great labour, another to St. Mary's Bay and Cape Fourchu, and a great road from Halifax to Chedabucto are the roads required. Col. Cor. N. S. vol. 16, p. 288

The memorial to the King, signed by James McEwen, Charles McNeill, Isaac Wilkins, Nicholas Ogden, Robert Gray, James Robertson, Valentine Nutter, Joseph Durfee and Ebenezer Parker. 292

ber 15, Table of fees for the naval officer, see address of the Assembly, 14th April, 1790.

ber 20. Parr to Secretary of State (Sydney). Arrival from Nantucket of three brigantines and a schooner with their crews and everything necessary for whale fishing; the families expected shortly.
Col. Cor. N. S. vol. 16, p. 100

ber 20, Campbell to the Secretary at War. States the extent of the powers originally conferred on him as commander-in-chief and the encroachments made on them by orders to the Governors and Lieutenant Governors of the provinces. Desires that, if his command is to be circumscribed, he should be officially informed of it; but points out at the same time how desirable it is to have the whole command combined to be effective. Has not remained from interested motives, as it has cost him not under three times the sum of his staff appointment to support his rank and dignity. Remarks that his recommendations are rejected, but his object is to entreat that the extent and limits of his command may be minutely ascertained, so as to remove every sense of jealousy between the civil and military departments. A. & W. I. vol. 406, p. 451

er 24. Same to the Treasury. Calls attention to the importation by John Butler Dight, calling himself agent for contractors of provisions for troops, loyalists and reduced soldiers, but having no original or copy of a contract. Dight is referred to the Governor, without respect to him (Campbell) and the monthly certificaees are to be signed by the Governor. Desires to have official instructions, as by his commission he, not the Governor, is responsible for these issues. 463

1785.
September 25, Halifax. Campbell to the Treasury. Statement
Spanish River at the expense of Gover
paid and amount due.

September 28, Halifax. Same to Secretary of State (Sydney).
Secretary at War respecting the military
of report made to the Treasury of co
Government, and of the consignment o
without reference to him (Campbell). T
argument for a direct packet to Halifax.

Enclosed. Copies of letter to Secretar
the Treasury, 24th and 25th September,
dates.

September 31 (*sic*), Halifax. Parr to Secretary of State (Sydney).
money voted by the Assembly can be p
estimate, abstract of votes and resolutions
from the Attorney General. The reason
settlement of the loyalists had delayed
ordered to be sent. Sends minutes of Cou
1,184 persons were entered in one grant i
42 persons in one grant at St. Andrew's
at Shelburne. Sends account of fees due

Enclosed. Consideration of Council in
Abstract of votes and resolutions in Co
June to 5th July, 1782.
Establishment of fees by Council for
judges.
Statement, by Blowers, of fees allowed
Proceedings of the Executive Council
16th March, 1785.
(The certificate of the clerk of the Coun
others are in the minutes of the proc
original.)

October 4, Halifax. General order respecting the military s
are to be under the command of Major Ge
the Secretary at War. Difficulties exist
order is to remove.

October 4, Halifax. William Grant to Secretary of State (Sy
the groundlessness of the accusations o
him.
(The papers which follow from p. 438 t
respecting his conduct in Canada during

October 7, Whitehall. Secretary of State (Sydney) to Parr.
William Gray, New York volunteers, abs

(Copy in Col. Off. N. S. vol. 1, p. 519).
Gray's memorial.

October 10, Halifax Harbour. Admiral Sawyer to Secretary of Stat
from the merchants of Quebec, with co
present vessels to prevent the illegal pra
orders.

Enclosed. Memorial from the merchan
to the fisheries and trade of the St.
Americans.
Affidavits of Isaac Dagory (218), Berth
Ross (220) in support of the memorial.

October 11, Halifax. Parr to Nepean. Anthony Stewart o
London to obtain recompense for his losse

1785. of good land. Recommends Benjamin Davis of Shelburne. Sends list o corps which have been settled for some time. The 84th is not included as it is not in the power of man to satisfy their demands. Has reported the death of the late Chief Justice and refers to private letters respecting fees. The accident in the Downs may prevent dispatches reaching this winter; the want of a direct packet is severely felt.
Col. Cor. N. S. vol. 16, p. 221

(The "accident" probably refers to the hurricane which caused the loss of vessels in the Downs on the 6th September previous.)

Enclosed. List of corps disbanded in Nova Scotia and settled upon lands in 1784 and 1785. 224

ober 11, lifax. Campbell to Secretary of State (Sydney). Reported on the 12th November, 1784, the steps taken to recover Crown land from Messrs. Cochran; had bought the store they had built on it, so that it may serve for public uses. Two of the crew of the schooner which was carried off (see letter of 24th June) have been caught, tried and hanged as pirates; most of the provisions were recovered; the schooner was carried to Massachusetts, where these two were caught and returned by the Governor of that state. Arrangement for the payment of army contingencies at St. John, New Brunswick. A. & W. I. vol. 406, p. 467

ober 13, lifax. Parr to Sydney (private). Respecting fees and the position he should be placed in with respect to them Col. Cor. N. S. vol. 16, p. 225

ober 17, lifax. Same to Secretary of State (Sydney). Sends vouchers for the expense of settling loyalists in Nova Scotia and New Brunswick; remarks on various items of the accounts. 227

Enclosed. Correspondence, certificates &c., respecting the expense for settling. 231 to 236

vember 10, lifax. Parr to Nepean. Desires to have the confirmation to the Council of Cochrane and Morris. 237

vember 11, lifax. Same to Sydney (private). The flattering prospects which the industry of the loyalists afford to the Province. The prosperity of Shelburne, of which details are given; the present quiet and content there is largely due to the conduct of Isaac Wilkins. The situation of Digby favourable for trade, but this is frustrated by the want of means among the people. The other settlements briefly described. 238

vember 15, lifax. Morris to Nepean. Complains of the reduction of his allowance; if restored the former amount, with the addition of £30 for office rent, he will give the fees chargeable to loyalists after the 1st January, 1786. 296

vember 15, lifax. Parr to Secretary of State (Sydney). No whale oil brought from the United States and shipped, except as foreign oil. The benefits of the emigration from Nantucket; there has been no collusion. 243

vember 16, lifax. Same to the same. Dispatches received, with estimate and other enclosures. 245

vember 16, lifax. Same to Nepean. Sends this by Smith, of the 57th, whom he recommends; he is desirous to purchase the quarter-master's commission 247

vember 18, lifax. Same to Campbell. Recommends that a further supply of provisions be issued to disbanded soldiers and loyalists, in Nova Scotia.
A. & W. I. vol. 407, p. 11

vember 24, lifax. Campbell to Parr. Agrees with him as to the desirableness of relieving distress, but can only authorize the distribution of any surplus to the most necessitous. Should more require to be purchased, he (Parr) and his Council must devise means to do so. Has had no application from Governor Carleton for authority to purchase additional provisions. 15

(Copies of the two immediately preceding letters were sent to the Secretary of State on 10th December.)

vember 25, lifax. Parr to Secretary of State (Sydney). Complaints are made against Wentworth for charging loyalists and disbanded soldiers fees on their

1785.

grants; can get no answer from him or his deputy on the subj
desires to know if Wentworth has authority to charge fees.
Col. Cor. N. S. vol. 16, p.

November 30, Halifax. Campbell to the same. Sends as correct a return as can be ascerta
of the disbanded troops and loyalists in Nova Scotia and New Br
wick, entitled to provisions which they fully merit.
A. & W. I. vol. 406, p.

Enclosed. Return. The disbanded troops and loyalists are not g
separately, but the men, women and children are. The totals are

Nova Scotia	14,952
Cape Breton	121
St. John Island	420
New Brunswick	10,824
Grand total	26,317

A note says: "Exclusive of the above numbers, 742 loyalists an
banded soldiers have been struck off the provision list in Nova S
129 in the Island of St. John and 71 in New Brunswick, being consi
as unworthy of a continuance of the bounty. No returns have bee
received of the new settlers in the Island of Cape Breton, except
list furnished by Mr. Cuyler (late mayor of Albany) of Refugees set
with him in that Government, which is inserted above."

(For correspondence with Cuyler, see Archives, Series B., vol.
For returns of loyalists for Cape Breton, see same series, vol. 16
43 and 113.)

November 30, Halifax. Parr to Nepean. Thanks for the increase to his salary; regret
decrease in those of the surveyor general and registrar. Asks for a
tinuance of the allowance of £100 a year to Mrs. Franklin (Franc
widow of the late Superintendent of Indians.
Col. Cor. N. S. vol. 16,

December 1, Halifax. Campbell to Thomas Carleton. Has learned of his orders for a fu
supply of two months' full rations to loyalists and disbanded sol
the distribution of the surplus should have been general to both
vinces. Sends copy of letter to Parr on the subject to sho
(Campbell's) sentiments. Orders provisions sent for the troops
kept separate. A. & W. I. vol. 407,

(Copy sent to Secretary of State on 10th December.)

December 2, Halifax. Haliburton to Nepean (extract). He intended to lay a stateme
his services and losses before the Commissioners, and asks for the r
of certain papers left with him (Nepean), or a certificate that they
been lost or mislaid. Col. Cor. N. S. vol. 16

December 3, Halifax. Campbell to Secretary of State (Sydney). No orders having be
ceived for the repairs of the "Maria" in the dockyard, he has
obliged to draw for the same and charge to the extraordinaries
army. A. & W. I. vol. 40

December 10, Halifax. Same to the same. The provisions for loyalists and disbanded so
ample, and from the care taken in distribution there is a conside
surplus. Has sent 40,320 pounds of flour, 26,200 pounds of bee
10,400 pounds of pork to relieve the distresses of the loyalists in
Brunswick. Transmits correspondence respecting the distributi
the surplus, the demands from New Brunswick, &c.

Enclosed. Letters of 18th and 24th November and 1st Decembe
at their respective dates.

December 24, Whitehall. Nepean to Parr. Urges him to have the claim settled for bui
the house on the Governor's farm. Shall write to Smith's friends
the quarter master's commission. Col. Cor. N. S. vol. 16,

Enclosed. Letter from Hamond about the claim.

1785.
ember 31, Parr to Secretary of State (Sydney). The new Assembly met on the
ifax. 5th and closed on the 28th; will call it again early in spring. The progress of the province; there are now 90 saw mills, 25 of them erected since 1783; these will be nearly sufficient to supply the West Indies with lumber; several more will be erected next summer.
Col. Cor. N. S. vol. 17, p. 1

List of laws passed last session. 3

ember 31, Campbell to Secretary of State (Sydney). Introduces and recom-
ifax. mends Lieut.-Col. Small. A. & W. I. vol. 407, p. 23

ember —, Wallace to Stewart, enclosed in Stewart's letter of 16th February,
ifax. 1786, which see.

late. Petition of the non-commissioned officers and men of the Duke of Cumberland's Provincial Regiment of Foot, commanded by the late Lord Charles Montagu, asking for wives. Col. Cor. N. S. vol. 16, p. 302

Memorial of Hugh Baillie that his lands should not be escheated, in view of the large amount he had expended in his improvement from 1772, until the time of the disturbances in America, when the settlers had no security. A. & W. I. vol. 597, p. 286

The date of the memorial is noted in pencil as "23rd December, 1783," a modern conjecture; that was the date of Lord Sydney's appointment to be Secretary of State, an office he held till May, 1791. The memorialist did not return from the East Indies till 1784 so that the conjectural date of 1785 is at least approximately correct.)

Observations upon the estimates for the civil establishment of the Colonies for 1786. B. T. N. S. vol. 55

(These include Nova Scotia, New Brunswick, St. John (P. E. I) and Cape Breton, also the Bahamas and Bermuda. There is neither date nor signature).

1786.
uary 1. Campbell to Secretary of State (Sydney). Sends copy of the correspondence on the subject of the claim by Des Barres, as Lieut. Governor of Cape Breton, to have control of the provisions sent for the military. The confusion caused by consigning military stores to a civil governor when there is a General in command. The tenour of Des Barre's warrants would lead to the belief that these provisions were private mercantile ventures and not Government provisions.
A. & W. I. vol. 407, p. 27

(Duplicate in Col. Cor. C. B. vol. 63, p. 359.)

Enclosed. Copies of letters and other documents respecting the dispute between Des Barres and Yorke. They relate exclusively to affairs in Cape Breton and will be referred to in the volumes relating to that island.

uary 2. Parr to Secretary of State (Sydney). Introduces and recommends
ifax. the Rev. Mr. Panton, who goes to solicit assistance to build churches for the scattered loyalists. Col. Cor. N. S. vol. 17, p. 8

uary 9, Same to Nepean. Introduces Col. Small. A half madman named
ifax. Lonsdale, recommended to him and Sawyer, is a strange, odd being, but an excellent seaman. 5

uary 10, Robert Rashleigh to Nepean (?). Sends Campbell's dispatches to
lick Hill. Lord Sydney and a packet for himself. Asks that a report be made on Parr's bill for £1369.18.4, which is material to him, as the Americans are very slow in their remittances; asks also for report on Parr's bill for land fees. 404

uary 10, Campbell to Secretary of State (Sydney). Calls attention to the ir-
ifax. regularities in the issue of provisions in New Brunswick as an additional reason for a change in the present system. Parr has invariably handed over invoices and bills of lading to him (Campbell) knowing that there was an impropriety in their being consigned to any other person. 85

1786.

Enclosed. Col. Bruce, St. John, to Major Campbell, Secretary, 17th December, that provisions for the military in New Brunswick, having been consigned to Governor Carleton, had been taken possession of by him, and most of them sent up river without being put in store.
Col. Cor. N. S. vol. 17, p. 89

January 10, Halifax. Attorney General Blowers to Nepean. Sends memorial of Uniacke and other papers relative to the claims of that gentleman to rights in the Vice-Admiralty, that embarrass him (Blowers) in the execution of his duty 405

Enclosed. Memorial of Uniacke, Advocate General, to Parr, complaining that in cases before the Vice-Admiralty Court affecting the Crown, he has not been consulted. 407
(Duplicate at p. 423.)

Answer by Blowers, stating the facts connected with the arrival of the "Nancy" and the landing of the cargo. 410

Petition of Gerrish, master of the "Nancy," praying for leave to land her cargo on account of the condition of the vessel, with order from the Court of Vice-Admiralty granting permission. 412

Petition of Barker, master of the "Betsey and Polly," for leave to land the live cattle and sheep and other perishable articles, his vessel having been compelled to put into Halifax from stress of weather, and order from Court of Vice-Admiralty granting permission. 416

January 16, London. Allan Maclean to Nepean. Complains of the delay in surveying lands for the 84th and obstacles thrown in the way by Parr and his Council, who are land jobbers. 419

January 27, Halifax. Uniacke to Secretary of State (Sydney). Transmits papers relative to his claim to appear for the King's interest in the Vice-Admiralty Court. 421

Enclosed. Memorial addressed to Parr and Council.
(Duplicate; see p. 407).

Copy of the correspondence respecting the case of the "Nancy."
424 to 427

January 28, Halifax. Parr to Secretary of State (Sydney). Sends map of the county of Sydney with the allotments to the navy, army, disbanded corps and loyalists. Sends also map of the lands granted at Merigomish, Pictou, Tatamagouche and Ramsheg, which include all the settlements on the North Eastern coast. Sends also accounts. 6

(The map of the county of Sydney is in case 44, No. 11; the other in case 40, No. 59).

February 16, London. Anthony Stewart to Nepean. Sends extract from letter received from Halifax; has received printed copies of the journals of Assembly.
Col. Cor. N. S. vol. 12, p. 255

Enclosed. M. Wallace to Stewart, December, 1785. The low price of provisions; owing to the drought lumber is scarce and high in price, so that vessels arriving with provisions for the loyalists at a low freight, expecting cargoes of lumber for the West Indies, have been dissapointed. The effect may be to induce the West Indies to ask that the rebels be admitted to the Islands. Great exertions are being made to procure lumber for next year. The eastern part of Massachusetts is seeking to be detached and formed into a separate State. 256

March 1. (The name of the writer is endorsed).

"State of the Bench of the Supreme Court of Judicature in Nova Scotia." The statement points out the difficulties in the way of administering justice, the hardships to the judges going on circuit &c.; it is endorsed. "Received from Lt. Col. de Lancy, 1st March 1786."
Col. Cor. N. S. vol. 17, p. 428

March 17. Memorial of Dr. Panton, stating his services &c. in Nova Scotia. Enclosed in letter of 12th July, 1793, from Dr. Morice, which see.

1786.
arch 23. Memorial of Allan Maclean and other officers of the 84th, addressed
ndon. to Campbell, asking him to press on Lord Sydney for a settlement of their claim for lands, in accordance with a memorial which he (Campbell) undertook to present to Sydney two years previously.
Col. Cor. N. S. vol. 17, p. 431

ril 3, John McPherson, surgeon to ———. Giving a report of the settle-
anchester, ment at Manchester, so called in honour of the Duke; the incapacity of
N.S. Nutting, sent as surveyor and recalled on the representation of the settlers; the false report made out of revenge, in consequence of which the lands selected were reserved for the King's use. 433

ril 7, Allan Maclean. Reiterates complaints respecting the obstacles thrown
ndon. in the way of the 84th obtaining their lands, for which he blames Parr. 466

ril 18, Rough draught of letter to Campbell. Sir Guy Carleton having been
hitehall. appointed to the civil and military command of the remaining dominions in America no instructions are necessary for him (Campbell), as Sir Guy will settle the disputes respecting Cape Breton between him and Governor Thomas Carleton. A. & W. I. vol. 598

(There were disputes with respect to Cape Breton, of which Des Barres was Lieutenant Governor, and with respect to New Brunswick, of which Thomas Carleton was Governor, so that it is doubtful to which this letter refers. Sir Guy Carleton was, however, to settle all disputes in the different provinces.)

ril 19, Secretary of State (Sydney) to Parr. It has been determined to
hitehall. unite the governments of the North American dominions in one person, and Sir Guy Carleton has been selected for the office. He (Parr) will, therefore, be Lieutenant Governor, but without alteration in his emoluments. Hopes the arrangement will not be disagreeable to him. Sir Guy is to proceed immediately to Quebec. Col. Cor. N. S. vol. 17, p. 12

(Copy in Col. Off. N. S. vol. 2, p. 1).

ril 19, Secretary of State (Sydney) to Campbell. Sir Guy Carleton being
hitehall. appointed to the civil and military command will settle the disputes. His (Campbell's) caution in the expenditure of public money approved of; the system on which all expenditure should proceed. His attention to the loyalists also approved of. Letter in favour of Wemyss transmitted to Treasury. A. W. & I. vol. 407, p. 101

ril 20, Secretary of State (Sydney) to Parr. His engagements with the
hitehall. people of Nantucket have been improper and have caused inconvenience. An immediate stop should be put to encouragement to future emigration from the American States, until His Majesty's pleasure shall be known. Some distinction should be made between them and people who have suffered for their loyalty. It is not intended to encourage the whale fishery except that direct from Great Britain. A change should be made in the method of granting money by the legislature; a bill of supply should be passed annually at the end of every session, sent to Council and assented to by him. His help to the people of St. Augustine approved of. Instructions will be sent by the Treasury as to future provisions for the loyalists and disbanded troops. The complaints as to the exaction of fees by Wentworth has been sent to the Treasury; the charge made by him was not authorized. The plans of the lands granted have been of considerable utility; he is to send list of those escheated. Cochrane and Morris to be appointed to the Council, as recommended.
Col. Cor. N. S. vol. 17, p. 16

(Copy in Col. Off. N. S. vol. 2, p. 6.)

ril 21, Secretary of State (Sydney) to Parr. The survey of the lands for
hitehall. the 84th to be made immediately. To prevent abuses caused by claims for lands in different provinces, by virtue of the proclamation of 1763, no grants are to be made to the 84th till oath has been made by each

1786.

applicant that he has not obtained land, under engagement of 177
any other province. Col. Cor. N. S. vol. 17,
(Copy in Col. Off. N. S. vol. 2, p. 12.)

April 27, Whitehall. Secretary of State (Sydney) to Parr. Transmits memorial o
Charles Danvers and John Fisher, respecting the escheating of
lands, which they had been settling till stopped by the war,
send an account of the circumstances of the escheating for the
consideration. Col. Cor. N. S. vol. 17,
Memorial and certificates, &c. 30
(Copy of letter in Col. Off. N. S. vol. 2, p. 14.)

April 27, Whitehall. Secretary of State (Sydney) to Admiral Sawyer. Sends copy o
memorial from the merchants of Quebec, with affidavits, which
been laid before the King, whose instructions in respect to the sec
of the fisheries and trade of the St. Lawrence shall be communicat
Col. Off. N. S. vol. 2,

May 2, St. James's. Allan McLean to Nepean. Further respecting the lands for the
Col. Cor. N. S. vol. 17,

May 22, London. Commission to George Leonard to be superintendent of the trad
fishery at Canso, in room of Jonathan Binney. B. T. N. S. v

May 24, Halifax. Morice to Grey Elliot. Richard Money and George Panton appo
missionaries to Nova Scotia; another will soon be named to com
the number. A. & W. I. vol

Parr to Nepean. He has not taken the difference between curr
and sterling as alleged; the money is still in the hands of the merc
except that used for services, which he enumerates. It will be f
when the accounts are closed, that no Governor was ever clearer of
than he has been. Col. Cor. N. S. vol. 17,

May 28, Halifax. A postscript states the amount of fees on land grants to loyalis
18 months.

Parr to Nepean. His annoyance at being reduced to the ra
Lieutenant-Governor; asks to be appointed Major General to restor
consequence. Rev. Dr. Walter has at last conformed to the law o

May 29, Whitehall. province; has reported his case to the Society for the Propagati
the Gospel and leaves it for their consideration.

Secretary of State (Sydney) to Parr. Binney, superintendent o

May 30, Halifax. trade and fishery at Canso, is dismissed and Leonard of New Brun
appointed in his room.

Parr to Secretary of State (Sydney). Is concerned that the
duction of the Nantucket people has not been approved of; the a
tages he expected; only seven had arrived and he had withdrawn
couragement. Explains the nature of the certificates granted to
people for their vessels, and encloses copies; they have not received,

May 30, Halifax. do they expect, the indulgences granted to loyal refugees.
Enclosed. Copies of certificates. 5

Campbell to Secretary of State (Sydney). Has every confidence
Sir Guy Carleton will remove every obstruction to the King's ser

June 2, Halifax. Thanks for approbation of his conduct; solicits leave of absence.
A. & W. I. vol. 407, p.

Parr to the same. Has granted 81,450 acres to the 84th, agreeab
the orders of 1783, and a reserve adjoining the grant of 200,000 a
The order was for the men of the 84th from North Britain, who
gone to New York and been raised there; but he found that many
them were from Newfoundland. The delay on their part in taking u
lands and the pressing claims of other loyal corps were the reasons
making the grants. If he had not done so, all the good lands w
have been held by a few settlers to the exclusion of the loyalists.
settle the 84th he shall be obliged to employ surveyors, chainmen
axemen; all other loyalists and soldiers are willing to pay the de

786.
2, ax. surveyors and receive their grants gratis. The faithful services of Morris. Col. Cor. N. S. vol. 17 p. 59

Parr to Secretary of State (Sydney). Sends copies of the laws and of the journals of 1784 and 1785. 62

Enclosed. List of laws passed from the 5th to the 28th December, 1785. 64

Journals of Council in Assembly (Legislative Council) from 28th November to 8th December, 1784. 65

(This is the title, the dates given are also in the certificate at the end, but the real period is from 1st November to 28th December.)

Journals of Assembly from 1st November to 28th December, 1784. 128

Same of Council from 5th to 28th December, 1785. 170

3, ax. Same of the Assembly for the same period. 213

Parr to Secretary of State (Sydney). Transmits list of lands granted in Nova Scotia from 1775 to 30th June, 1783, and of lands escheated. 248

Enclosed. List of grants, giving the names of grantees, the number of acres, the terms of quit rent and the date of grant. The total extent was 321,464 acres. 249

List of lands escheated, giving names of grantees, date of grant, number of acres and when escheated. The title is: "List of the tracts of lands which have escheated in the Province (*sic*) of Nova Scotia and New Brunswick to Provide Settlements for Loyal Refugees, reduced Officers and Soldiers and Others Commencing the 3rd March, 1783, and Ending the 12th September, 1785." These escheated grants run from 200,000 down to 200 acres. 257

4, ax. J. Brenton to (Rev. Mr. Breynton, rector of St. Paul's, Halifax ?). Had found his letters on his return. Hopes his (Breynton's) long residence in England will promote the object he had in view and that he will obtain the mitre. The letter contains scraps of news of what is taking place in the province. 470

(The first bishop, the Rev. Charles Inglis was appointed in 1787. A movement was made in 1783 to have a diocese erected in Nova Scotia and Dr. Thomas Bradbury Chandler was recommended for the office of bishop. It was believed that Breynton was desirous of obtaining the position and that his visit to London was to secure it. The letter is not addressed, but the allusion of "warmest wishes for your and Mrs. B's welfare" leaves no doubt that it was written to Breynton.)

6, ax. Parr to Sydney. Has received notice that Sir Guy Carleton has been appointed governor of all the remaining dominions in America; his feelings at the reduction in his rank; asks for some mark of the King's favour to raise him in the eyes of the people "of this world." Writes to him (Sydney) as a friend. 258

7, ehall. Secretary of State (Sydney) to governor of Nova Scotia. Naval lists received but prepared in a very slovenly manner; this must be corrected. He is to put an end to the practice at Canso of entering and clearing vessels from the United States for foreign European ports. A. & W. I. vol. 408 p. 34.

10, ax. Parr to Secretary of State (Sydney). Transmits memorial from loyalists in Annapolis, who have truly stated their case; their need of relief. Col. Cor. N. S. vol. 16, p. 260.

Memorial representing the distressed situation of the loyalists on the cessation of the allowance of provisions; they have been obliged to consume the grain intended for next year's seed, to satisfy their hunger. The memorial was signed by 577 persons, including the magistrates and principal people. 261

12, ax. Parr to Secretary of State (Sydney). Sends small plan of Nova Scotia, divided into counties, townships, &c with a particular description of its bays, rivers, coves and basons, the produce of timber, the several species

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of fish upon the coast, with other natural advantages; also where the greater part of the loyalists and disbanded soldiers are settled.
Col. Cor. N. S. vol. 17, p. 264

(No map of this description could be found in any of the public offices in London.)

June 12, Whitehall. F. Moore to Nepean. Desires to know for the information of the Duke of Manchester, what steps, if any, had been taken with regard to the memorial presented by His Grace about five months ago 474

June 15, Chatham. Hamond to Nepean. Asks what answer has been received from Parr respecting payment for the buildings on the governor's farm. The builder has given up hope of being paid by Parr or the Assembly, should he (Hamond) be obliged to pay, thinks it the hardest case that ever happened to any officer of government. 475

June 26, Halifax. Parr to Secretary of State (Sydney). Owing to the manner in which land in Sunbury was transferred, can give no information respecting the lands which became by purchase the property of Sir Charles Danvers. Fisher was a grantee for 20,000 acres. Sends copy of the inquisition on the lands. 267

Enclosed. Copy of the inquisition on the lands claimed by Sir Charles Danvers. 270

The same on those claimed by Fisher. 271

June 28, Halifax. Parr to Nepean. Warns him against listening to the malicious charges about to be brought by Gibbons against Col. Yorke; The malicious disposition of Gibbons, who is accompanied by one Parry "who runs him hard in those trifling circumstances of honour and honesty." Has forwarded to Sydney a memorial from Cape Breton, which has hitherto been most unpleasantly situated; something must be done, or the new settlement will come to nothing. The uncivil conduct of Capt. Buller of H. M. S. "Brisk" sending by a negro boy the dispatches he brought and not calling himself as is customary. 288

June 28, Halifax. Tonge to the same. Complains of the confusion created by the opposition he meets with in the execution of his duty from the Assembly, supported by Parr and the Attorney General. The expense of the office largely exceeds the fees collected. 476

Enclosed. Copies of memorials, &c. 479 to 487

June 29, Halifax. Parr to Secretary of State (Sydney). Is concerned that the encouragement given to the Quakers of Nantucket has not been approved of; his object was to draw so valuable a trade from the United States and to prevent the people from emigrating to a country inimical to England. Proposals had been made to the Quakers from France, with the King's sign manual, to remove to Dunkirk to carry on the whale fishery, offering toleration to their religion, exemption from military service, land sufficient for a town, to provide and keep in repair a dock to hold 60 vessels, to be admitted with their vessels and property free, a bounty to be given to the ships employed in the trade, the importation of foreign oil to be prohibited. If these offers are real the Nantucket people may now carry this proposal into execution, as he has put a stop to emigration thence. 272

July 11, Halifax. Campbell to the same. Recommends compensation to the men of the 33rd for clearing the forest near the barracks, stores, &c., to remove the danger from fire to these buildings. Sends report of the danger to which the barracks at Shelburne were exposed from fire in the woods.
A. & W. I. vol. 407, p. 225

Enclosed. Memorial of Col. Yorke for compensation for the men of the 33rd. 229

July 12, Halifax. Parr to Nepean. Introduces and recommends Col. Yorke. Hopes that the report of Pemberton being appointed chief justice is true. Capt. Buller has made every submission, he is very young.
Col. Cor. N. S. vol. 17, p. 274

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y 25, Secretary of State (Sydney) to Parr. Sends for distribution twelve
itehall. copies of the Act for the encouragement of the Southern whale fishing.
Col. Cor. N.S. vol. 17. p. 265

(A copy of this dated 28th is in Col. Off. N. S. vol. 2. p. 19).

y 25, Nepean to Parr. Sends estimate. Col. Off. N. S. vol. 2. p. 16
itehall. *Enclosed.* Estimate for 1786. 17

y 28, Secretary of State (Sydney) to Parr. Transmits his commission as
itehall. Lieut. Governor of Nova Scotia. 18

gust 1, Circular to all public accountants in Halifax. A. & W. I. vol. 598.
dit Office.

gust 7, Parr to Nepean. Has, on his advice, received the half fees establish-
lifax. ed in 1764 and confirmed in 1774, although it is humiliating. His proportion should be, at least, as great as that of the Secretary. Sends note of the fees to show the disproportion.
Col. Cor. N. S. vol. 17. p 291

Enclosed. Account of half fees for grants of land to loyalists, &c., from 1st January, 1784, to 31st March, 1786. 292

gust 8, Parr to Secretary of State (Sydney). Has reported that no further
lifax. encouragement would be held out for the whale fishers to move into the province. Since this became known only one person, John Deane a Quaker, had arrived, a man of considerable fortune, to whom only an allotment was made and he was confined to the cod fishery. 293

gust 12. Duke of Manchester to the same. Calls attention to the memorial presented at the beginning of winter, on behalf of settlers near Halifax belonging to the regiment of the late Lord Charles Montagu. 488

gust 14, Hamond to Nepean. Respecting the conduct of Parr and Attorney
atham. General Uniacke, in relation to the cost of erecting buildings on the Government farm. Believes he had better memorialize the king on the subject, for he certainly would not pay £400 quietly. 490

gust 18, Order-in-Council referring to the committee of Council, for considera-
James's. tion and report, the papers relative to the establishment of an episcopate in Nova Scotia. B. T. N. S. vol. 30

Representation (undated) from the Archbishop of Canterbury and the Bishop of London on the propriety of appointing a bishop to Nova Scotia.

gust 23, Instructions to Dorchester, Governor of Nova Scotia.
James's. B. T. N. S. vol. 41, p. 1

gust 26, Gould (Judge Advocate) to Campbell. The Kings decision on the
rse Guards. finding of the court martial on Lieut. Norford. A. & W. I. vol. 407, p. 249

Parr to Secretary of State (Sydney). The General Assembly met on 8th June and was prorogued on the 11th July. Sends copies of the Acts, journals, &c. Col. Cor. N. S. vol. 17, p. 295

Journal of Legislative Council. 296

Journal of Assembly. 357

tober 8, Parr to Nepean. Has forwarded packet to Lieutenant Governor Car-
lifax. leton, has delivered that to Col. Fanning and shall forward those to St. John Island and Cape Breton by the first opportunity. 395

tober 11, Opinion of Counsel (Selwyn) on Acts passed in Nova Scotia. 494
ncoln's Inn.

tober 12, Memorial of John Dean, for registry of vessels, of which he is sole
lifax. owner, and which he brought with him when he emigrated to Nova Scotia. 430

tober 12, Parr to Secretary of State (Sydney). Has received dispatches with
lifax. enclosures respecting various subjects, to which he would attend. Has also received his commission as Lieut. Governor. 396

tober 16, Same to Nepean. Thanks for his kindness about the fees; shall follow
lifax. his advice and take no further notice of his degradation of rank from

1786. Governor to Lieut. Governor. Prince William Henry, (afterward William IV.) is at Halifax in H. M. S. "Pegasus." Col. Cor. N. S. vol. 17, p. 38

October 31, Halifax. Parr to Nepean. Has not heard of Dorchester's arrival at Quebec, nor of the instructions respecting emigration from the United States. Has in the mean time admitted some few families with such effects as are admissible under the proclamation of March last. Is anxious to know early in spring if he has acted properly and what encouragement is to be held out to industrious people desirous to remove into the province. 399

November 23, Halifax. Same to the same. His concern at the removal of Binney from his office of superintendent of fisheries at Canso; can find no evidence of his being guilty of crime or remiss in his duty. The vote in the Assembly was due to malevolence; asks for his reinstatement, as Leonard does not wish for the employment. 401

November 27, Halifax. John Haliburton to the same. Defending the character of a person (Binney) who from misrepresentation had lost his office of superintendent of fisheries and deputy collector. Similar misrepresentations had been made in his own case which he asks him (Nepean) to set right. 405

November 27, London. James Hume to Secretary of State (Sydney). Urges his petition to be made Chief Justice of Nova Scotia, stating his qualifications, losses, &c. A. & W. I. vol. 59

December , Whitehall. Secretary of State (Sydney) to Parr. Sends copy of instructions relative to trade, given to Guy, Lord Dorchester. Col. Off. N. S. vol. 2, p. 2

Instructions to Dorchester respecting the granting of land. Col. Cor. N. S. vol. 1

No date. Memorial of Major John Adolphus Harris, on his own behalf and on that of the officers and men of the 84th, that land may be laid out for them on the Kenticook. Col. Cor. N. S. vol. 17, p. 30

John Haliburton to Nepean. Respecting restoration to his former salary and appointment to the Council. 49

(Dated "18 Greek Street, Soho," so that he was in London, when the letter was written.)

Memorial of Col. William Shaw for half pay. (Endorsed March 178 apparently a conjectural date). A. & W. I. vol. 59

1787. January 20, London. Brook Watson to Nepean. Intercedes for Binney, whose conduct, he holds, was blameless. Col. Cor. N. S. vol. 18, p. 32

January 25, Halifax. Parr to Secretary of State (Sydney). Submits for decision the case of the importation by an inhabitant of the province, of molasses from the United States, with letters from the Collector of Customs and Attorney General. 1

Enclosed. Collector of Customs to Parr. On payment of a duty of a penny a gallon, molasses imported in British ships is admitted in consonance with the opinion of the Attorney General, no certificate of the place of growth or production being required. 3

Letter to the Attorney General, and his opinion that molasses in British vessels can be imported on payment of the duty. 5, 6

January —. Pencilled note to Nepean from Col. Spry, that he is waiting with a gentleman from Hesse Cassel, charged with a message from Baron de Linder, respecting a silver mine the Baron had discovered in Nova Scotia. (The note, undated, is with other documents dated in January 1787. A. & W. I. vol. 59

February 5, Halifax. Parr to Nepean. Rashleigh's ship not having arrived, there is no news and no answer to his letter. Tempestuous and cold weather; sufferings of the poor for want of clothing and provisions. The settlement getting on well, although there are some "choice spirits," not to be satisfied or contented. New roads opening at great expense; vessels

1787. building; lands clearing and under crop. A few years should make this a flourishing province, and the dissensions near Boston may furnish as many inhabitants as are wanted. The want of a direct packet.
Col. Cor. N. S. vol. 18, p. 11

ril 3, hitehall. Secretary of State (Sydney) to President of the Council. Transmits copy of dispatch from the Lieut. Governor of Nova Scotia, respecting the importation of molasses from the United States of America, doubts having arisen as to the legality of the importation. B. T. N. S. vol. 30

For Parr's letter, opinion &c., enclosed, see 25th January.

ril 5, hitehall. Secretary of State (Sydney) to Parr. The King's benevolence to his loyal subjects; the petition from Annapolis for additional favours cannot be granted. His (Parr's) postponement of the execution of the orders for lands to the 84th cannot be disapproved of; the merits of Morris lead to his obtaining assistance for the settlement of the 84th, but there can be no permanent increase to the department. DesBarres recalled from the Government of Cape Breton. Col. Cor. N. S. vol. 18, p. 7

(Copy in Col. Off. N. S. vol. 2, p. 22.)

ril 5, hitehall. Secretary of State (Sydney) to Campbell. There is reason to expect he may arrive before this letter can reach Halifax; in case of delay in leaving he (Sydney) acknowledges receipt of dispatches. The recall of DesBarres will give an opportunity of full inquiry into the causes of the disagreements, but he gives no opinion. The services of the 33rd in clearing the ground contiguous to the barracks have been compensated. Other works for the reception of troops should be erected as may appear to be necessary. Col. Off. N. S. vol. 2, p. 26

ril 8, anchester, N.S. Meighan to Paul Maylor. Respecting lands taken for public uses. Enclosed in Sydney's of——September, 1787, which see.

ril 10, alifax. List of vessels built in Nova Scotia in 1786, for which certificates have been granted for the premium between 6th January and 10th April, 1787. Col. Cor. N. S. vol. 18, p. 358

"Thirteen saw mills erected, in the Province of Nova Scotia in the year 1786 at £20 each, £260." 359

ril 16, ndon. Morice to Nepean. The Archbishop of Canterbury believes no additional sum need be voted this year for missionaries to Nova Scotia, but His Grace believes that £3,000 would be a proper amount to be granted for building churches in New Brunswick.
A. & W. I. vol. 597, p. 425

ril 22, hitehall. Lords of Trade to Committee of Council. Transmit revised commission for creating a Bishop of Nova Scotia, and draught of instrument empowering the Bishop to exercise ecclesiastical jurisdiction in the provinces of Quebec and New Brunswick and in the Island of Newfoundland.

Draught commission (with alterations and additions) to erect a Bishop's see and appoint a Bishop (the name left blank.)

The commissions extending the ecclesiastical jurisdiction to the other provinces follow (two in number.) B. T. N. S. vol. 30

ay 17, ndon. Sir C. Danvers to Nepean. Returns papers: can only urge the American war as the reason for not settling the lands.
Col. Cor. N. S. vol. 18, p. 322

ay 21, alifax. Certificate by the collector (Newton) and comptroller (Slayter) of Customs, that the statements in the petition by William and John Robertson and Robert Dickson respecting the registry of the sloop "Three Friends" are true. 323

ay 22, hitehall. Nepean to Governor of Nova Scotia. Sends estimate.
Col. Off. N. S. vol. 2, p. 29

Enclosed. Estimate for 1787. 29

1787.

May 24, Halifax. Parr to Secretary of State (Sydney). Dispatches received, account of His Majesty's preservation from assassination and of the of the Princess Amelia, (sister of George III died on the 31st O 1786; his daughter Amelia died on the 2nd November, 1810); p copies of treaties, speeches &c. Col. Cor. N. S. vol. 1

May 25, Halifax. Same to Nepean. Thanks for letters: shall be, as he has hitherto careful that the difference between currency and sterling does into his pocket. Is reconciled to Dorchester's appointment; w wanted rank for, was to show that he had not been guilty of impro and to establish his dignity and authority. Has not been treate the same respect as before the appointment, especially by loyalist Boston, who expect great things from Dorchester, but will be pointed. Is anxious to give redress to Hamond for his improv on the farm, which is of no use to him (Parr) but the Assembly nothing; shall again try. Shall, as desired, write to Sydney direc ing copies to Dorchester. Regrets that Campbell is leaving; s has been in command they have lived in a perfect state of frie Dorchester will not come to the province so early as expected Collector of Shelburne refused to call it by that name, as Rose says, is the name in his warrant.

May 25, Whitehall. Report of Committee of Council, recommending the appointme Bishop to Nova Scotia and dependencies and transmitting propose missions prepared by the Attorney and Solicitor General.

B. T. N. S.

May 29, Halifax. Parr to Secretary of State (Sydney). His regret at Campbell l the harmony in which they lived. Col. Cor. N. S. vol. 1

June 1, Manchester, N.S. Meighan to Maylor. Respecting lands taken for public pu Enclosed in Sydney's of September, 1787, which see.

June 5, Manchester, N.S. Angus to the same. On the same subject. Enclosed in Sy letter of September, 1787, which see.

June 6, Halifax. James Clarke to Secretary of State (Sydney). States his s and losses and ask for some consideration. Col. Cor. N. S. vol. 18,

June 7, Halifax. Parr to Nepean. The inconvenience to the province from wa Chief Justice; the care that should be taken in the selection of be sent.

June 12, Halifax. Same to the same, Contradicts the report sent by the Chief En that he had been granting lands reserved for fortifications.

July 4, Halifax. Same to Secretary of State (Sydney). The inconvenience and to owners of vessels by the enforcement of the law on registr had granted licenses to fish and trade in the meantime; has also g permission to import 300 barrels of tar from the United States; his conduct will be approved of. Has been referred to in respect conduct by Leonard, fishery superintendent at Canso, In regard course towards fishing vessels from the United States; has desired to conform to the treaty, but submits the question to their Lord The powers required by Leonard under the new regulations of the missioners of Customs.

July 12, Chatham. Memorial of Hamond to Secretary of State (Sydney). Feels a ved at being called upon to pay for the improvements to the Gove farm at Halifax.

Nine enclosures respecting expenditure on the farm, farm house

30th June, 1785—Parr to Hamond.
27th June, 1786—George Thomas to the same.
30th June, 1786—Richard Bulkeley to the same.
12th July, 1786—W. Lee to the same.
25th May, 1786—Parr to Nepean (endorsed 28th).
2nd July, 1786—Arbuthnot to Hamond.

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25th May, 1787—Parr to Nepean (extract).
27th October, 1786—Lee to Hamond.
With minutes from the journals of Assembly of 1786.
Collier's account for bricklayer's work to the Governor's farm, during Hamond's administration, 1782.
Additional 15th May, 1786. Lee to Hamond.
Col. Cor. Quebec, vol 28

July 13, Halifax. Parr to Nepean. The conduct of the engineer still continues illiberal; thinks he is not right in his head. Has applied to Sydney for instructions respecting the fishing by people from the United States; how he is hampered by the clause of the treaty permitting fishing and curing with consent of the inhabitants of the settled part of the coast. The trouble he has with the new as well as the old inhabitants, as several of the loyalists sold out and left as soon as the issue of provisions was stopped. Col. Cor. N. S. vol. 18, p. 31

August 1, St. James's. Order-in-Council. Draughts of commissions for the Bishop of Nova Scotia and dependencies having been submitted, commissions under the great seal are to be prepared accordingly and additional instructions required by the new appointment are to be prepared for the Governors of Quebec, Nova Scotia, New Brunswick and Newfoundland.
B. T. N. S. vol. 30

August 4, Halifax. Parr to Nepean. Shall show every kindness to Thompson, prothonotary. Has written about a direct packet; Finlay has been down from Quebec; he thinks it an easy matter to have a mail between that and Halifax, much quicker and less dangerous than from New York.
Col. Cor. N. S. vol. 18, p. 33

August 12, Penn. Haviland to Nepean. Engel has applied for land; recommends him as a deserving officer. A. & W. I. vol. 530

September 2, Halifax. Parr to Secretary of State (Sydney). Enclosed in Townshend's of 24th December, 1787, which see.

September 2, Halifax. Same to the same. Dispatches, estimate, &c., received. There is only one distillery, producing about 15,000 or 20,000 gallons of rum, sold at six pence a gallon cheaper than that from the West Indies, as foreign molasses can be bought cheaper than that in the West Indian Islands, and will always be so, as long as the importation of rum from the French West Indies is prohibited in France. Smuggling of American rum on the Bay of Fundy. The detriment to the fisheries the laying on of a duty on molasses would cause. The heavy bounties granted by France to the fisheries. How the importation of foreign rum and molasses might be stopped. Col. Cor. N. S. vol. 18, p. 57

September 8, Halifax. Same to the same. Has been on a tour in the province; the improvements in all branches. 61

September 11, Halifax. Same to the same. Leonard, superintendent of trade, &c., at Canso, has gone off without leave; complains of his conduct, which might have brought on disputes with the United States. 62

September 12, Charlottetown Fanning to Secretary of State (Sydney). Enclosed in Townshend's of 24th December, 1787, which see.

September 14, Whitehall. Secretary of State (Sydney) to Parr. The King has erected Nova Scotia into a Bishop's see; Inglis to be the Bishop, with ecclesiastical jurisdiction in the provinces of Quebec, New Brunswick and Newfoundland. Sends instructions to him (Parr).
Col. Cor. N. S. vol. 18, p. 35
(Copy in Col. Off. N. S. vol. 2, p. 31.)

September 15, Halifax. Parr to Nepean. Respecting Leonard in similar terms to those in letter to Sydney of the 11th. Col. Cor. N. S. vol. 18, p. 64

September 20, Whitehall. Secretary of State (Sydney) to Parr. The rules for registration of vessels apply to those built in the United States; vessels not registered

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are not to be allowed the privileges he has granted; the permission to import pitch and tar disapproved of. The restraints imposed by Leonard were contrary to the treaty, the terms of which, whilst strictly enforced, must not be violated. The commercial intercourse between the United States and the British dominions is regulated by orders-in-Council, in which the articles allowed to be imported are mentioned; no others can be legally imported. Col. Cor. N. S. vol. 18, p. 45

(Copy in Col. Off. N. S. vol. 2, p. 32).

September 21, Halifax. Parr to Secretary of State (Sydney). Sends naval officer's returns. Col. Cor. N. S. vol. 18, p. 66

September —. Secretary of State (Sydney) to Parr. (A rough draught, undated; no acknowledgment of its receipt can be found; some of the dispatches from Parr, it is noted, are missing). Sends copy of the letter from the Duke of Manchester, with enclosures from officers in the late Lord Charles Montagu's regiment, complaining that they had been deprived of the greater part of the lands alloted to them on the ground of their containing timber fit for public purposes. He is to investigate and remedy any just cause of complaint. 36

Enclosed. Duke of Manchester to Sydney Sends letters addressed to Mayler, trustee for Lord Charles Montagu's children, and from officers to whom lands had been allotted, complaining that they had been taken possession of for public purposes without compensation. 40

Enclosed letters follow. B. Meighan, 8th April and 1st June. 42, 43

Angus McDonald, 5th June. 45

October 3, Whitehall. Secretary of State (Sydney) to Parr. During summer a packet is to sail monthly for Halifax, and is to be dispatched to New York after not more than two days' delay. 55

(Copy in Col. Off. N. S. vol. 2, p. 36).

November 2, London. Leonard to Nepean. Account of his proceedings at Canso as superintendent of trade and fishery. Is willing to relinquish the situation and return to New Brunswick. 341

(A duplicate follows, dated the 4th).

November 7, Whitehall. Secretary of State (Sydney) to Parr. A regular monthly packet having been established, all expenses are to pass through the agent of the post office in America. 67

(Copy in Col. Off. N. S. vol. 2, p. 37).

November 8, Whitehall. Secretary of State (Sydney) to Parr. The importation of the large quantity of rum from the United States should be checked as far as possible by the revenue officers, so as to put a stop to the illicit traffic. The reprehensible conduct of Leonard in leaving the Province without his (Parr's) approbation. Col. Cor. N. S. vol. 18, p. 68

(Copy in Col. Off. N. S. vol. 2, p. 38).

November 8, London. Leonard to Hawkesbury. Represents the abuses along the coast in regard to the fishery, illicit trade, &c., for want of revenue officers; the steps he had taken to prevent abuses. B. T. N. S. vol. 30

November 10, London. Same to the same. Had no personal motive in the statements he had made, but was willing to relinquish his office and return to New Brunswick where his interests are. Having been the first comptroller of customs in that province, should be happy to be made collector when the office shall become vacant.

Enclosed. List of harbours from Halifax to the entrance of the St. Lawrence settled before the war. The principal object of the Americans on that coast is to carry on a contraband trade.

Permit by the deputy naval officer to the schooner "Luc," with remarks on the pretexts made use of to obtain a register.

Depositions and complaints of the conduct of the deputy naval officer at Canso, in encouraging illicit trade (6 papers) and copy of Leonard's commission.

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The letter and enclosures are in B. T. N. S. vol. 30.

vember 11, lifax. State of the military buildings and works for the defence of Halifax. All are described as in a ruinous condition.

Col. Cor. N S. vol. 18, p. 354

vember 11, lifax. Parr to Secretary of State (Sydney). No licenses shall in future be issued to unregistered vessels, nor for the importation of pitch and tar from the States. Has informed the Attorney General that no articles are to be imported except those mentioned in the order-in-Council. 71

vember 14, lifax. Same to the same. His secret dispatch of 21st September received. Has fixed a confidential friend at Boston to give information of the arrival of foreign ships of war or troops, either there or at any other port in the United States, or of any warlike preparations in the United States. The militia of the province shall be placed on as respectable a footing as the season will permit. The ruinous state of the fortifications; of 152 gun-carriages, only 28 are good. There are plenty of great and small guns and 600 troops; has applied to Ogilvie for some companies. The naval force consists of one 50 gun ship, one of 28 guns and a very small sloop. There are about 8,000 or 10,000 militia, but so much dispersed that it is impossible to get any considerable number together. 73

(The threatening appearances in Europe were the reasons for defensive preparations. See Sydney to Dorchester 20th September, 1787, Canadian Archives, Series Q. vol. 28, p. 48).

vember 14, lifax. Parr to Nepean. Since the receipt of Sydney's secret letter and the arrival of Prince William Henry, had been unable to answer his (Nepean's) letter. Has detained the "Rocebuck" packet till he hears from Dorchester to whom Sydney's dispatches were sent at once. Should the French pay a visit to Halifax, shall be at a loss how to act in military matters, Ogilvie having received a letter of service as Brigadier General. In a postscript Parr expresses his satisfaction that he had interpreted the third article of the treaty relative to fishing vessels from the United States, as he was now instructed to do. Had never recommended a memorial for a ship's register without strict inquiry. His avoidance of quarrels. Believes three battalions of militia, of 500 men each, chiefly old soldiers, could be raised in the province. 75

vember 18, lifax. Same to Secretary of State (Sydney). Shall attend to the recommendation regarding Lieut Dyott of the 4th regiment. 79

vember 25, lifax. Same to Nepean. Sends map of mail route from Halifax to Digby, thence across the Bay of Fundy to New Brunswick. 80

Enclosed. Map. 81

The total distance given in the letter is 184 miles the 12 leagues across the Bay of Fundy being counted as 36 miles. In the margin of the map the details are thus given:

"Joseph Peters, Halifax, 44 miles to George Deschamps at Windsor. 44

"John Fowler, Horton. 17

"Robert Tucker, Annapolis. 72

"Mr. McDonald, Digby. 15

"From Digby to St. John, New Brunswick, 12 leagues across the Bay of Fundy."

cember 5, lifax. Parr to Nepean. The want of an able, impartial Chief Justice. Pemberton is spoken of, but has not enough of the Devil in him for the office. 82

cember 11, lifax. Joseph Gravois to the same. Arrived with the "Relief" at Sydney Cape Breton, on the 1st of September, and landed Lieut. Governor Macarmick and family then, by order of the Lieut Governor, loaded coal and merchandise for Halifax, where the vessel was seized for infraction of the Customs law, she being a government vessel, not having a register to entitle her to carry goods. The bad condition of the vessel; recom-

timber and hemp, on their importation into Great Bri

Enclosed. List of Acts.

December 24, Whitehall. Townshend to Lords of Trade. Sends letters and Dorchester, in answer to circular of 28th May, concerni of West Indian planters against the establishment of North American Colonies. (See Dorchester's letter o Archives, series Q, vol. 28, pp. 226 to 248). Sends from Lieut.-Governor Fanning, St. John Island.

Enclosed. Parr to Secretary of State (Sydney) (covering letter) dated 2nd September, 1787. Repo circular, that there are only two distilleries of rum in of which has not been in use for some years, the oth 15,000 to 20,000 gallons yearly. During the war the t 80,000 to 90,000 gallons yearly, distilled from foreig preferred by the Indians and lower class of people, as pence cheaper than that from the West Indies. Cause of molasses from the French West Indies. New Eng bited, but is smuggled on the Bay of Fundy in consid The imposition of a tax on foreign molasses would be to the fishermen and others. How the importation Indies might be encouraged.

Fanning to the same, 12th September. Reports that tilleries on the Island of St. John, and offers suggesti tions from the West Indies might be encouraged.

December 28, London. Leonard to the same. Sends copy of letter addresse he (Leonard) left Canso; also copy of letter to Ne sorry should Parr's representation influence His Lor (Parr's) desire to reinstate Binney; is willing to resig of the Treasury in his (Leonard's) favour. Col. Cor. N

No date. Memorandum of the Regiments under command o Campbell, and proposed distribution. A. & W.

Memorial of Capt. James Rivers, late of the 3–60 of land in Nova Scotia. A.

(Among undated papers.)

Warrant erecting Nova Scotia into a Bishop's see, wi cies, and appointing Dr. Charles Inglis to be first Bisho A. & W. I

1788.

(The instructions are among the papers of 1783, but the Bishop was not appointed till 1787, so that these instructions are subsequent to the order-in-Council of 1st August, 1787.)

January 3, Halifax. Parr to Secretary of State (Sydney). Owing to the enforced absence of some and ill-health of other members of the Council, he has been obliged to appoint Henry Duncan and Sampson Salter Blowers, so as to have a quorum for the dispatch of business. Col. Cor. N. S. vol. 18, p. 90

January 9, Halifax. Same to Nepean. On the same subject as the letter to Sydney, but in greater detail. 93

January 11, London. Memorial of Jesse Lawrence for relief on account of the loss of his property, stolen from him on Sable Island by American fishermen. A. & W. I. vol. 598

January 19, Halifax. Parr to Secretary of State (Sydney). Encloses memorial from Grant, agent to the contractor for the victualling of the squadron, for permission to import molasses from Boston; request refused as being contrary to His Majesty's orders. Col. Cor. N. S. vol. 18, p. 95

Enclosed. Grant's memorial. 97

January 26, Halifax. Parr to Secretary of State (Sydney). Dispatches received with declarations of the pacific disposition of the Courts of Great Britain and France, signed at Paris on the 27th October. Orders to take measures of defence arrived so late that no expense has been incurred, although the necessary works were resolved on. Shall observe orders respecting the monthly post and expresses. Sends letter from the Collector of Customs respecting the illicit importation of rum. 191

Enclosed. Report by Newton, Collector of Customs, dated 26th January. 193

January 27, Halifax. Parr to Nepean. His satisfaction at the avoidance of war, which must have been the ruin of the province. Sydney has asked for an estimate of the cost of defence, but that is now altogether in the hands of the military commanders. The money spent on works was formerly enormous, yet nothing remains but mere vestiges. Gives an account of his income and expenditure, to show that he is not making a fortune as reported. Disputes have subsided; the province is advancing. 200

January 30, Halifax. Same to the same. The appointment of DeLancy as a third assistant judge would not be popular. 203

February 12, Whitehall. Cumberland to the same. Is not aware of any alteration in the estimate for Nova Scotia, except the addition of £1000 to complete the bounty of £500 to each of the six churches in the new districts, for which £2000 had been previously voted. 361

March 1, Halifax. Parr to Secretary of State (Sydney). Transmits papers relative to complaints against the justices of the Supreme Court, of which the Council found they had fully acquitted themselves. 205

Enclosed. Memorial of the Assembly, transmitting complaints against the justices of the Supreme Court. 207

Evidence laid before the Assembly. 209

Answers of the judges. 216

Proceedings of the Council. The finding of the Council is in these words, "The Council were thereon of opinion That said memorial is al-" together undeserving of His Excellency's notice." 235

March 5, Halifax. Wentworth to Parr. Report on claim of officers, &c. of Montagu's regiment, with plan. Enclosed in Parr's letter of 29th December, 1788, which see.

March 7, Halifax. Parr to Secretary of State. Sends naval officer's reports for Halifax and Shelburne from 1st July to 31st December. Col. Cor. N. S. vol. 18, p. 239

March 8, Halifax. Same to Nepean. Has sent to Secretary of State complaints by two young lawyers against the Supreme Court. If the young men meet

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with any encouragement, it will be attended with dangerous consequences. Sterns aims at being the Wilkes of Nova Scotia. Col. Cor. N. S. vol. 18, p. 241 (Duplicate in Col. Cor., N. S., vol. 32, p. 11.)

March 17, Whitehall. Secretary of State (Townshend) to Parr. Packets sent to Dorchester to be forwarded to Quebec by the first safe conveyance. Col. Off. N. S. vol. 2, p. 40.

March 19, London. Memorial by Leonard, stating the terms of his appointment, &c. and asking to be heard in reference to the complaints against him. Col. Cor. N. S. vol. 18, p. 362

March 28, London. "State of Facts," by Rohl and 85 men. Enclosed in Parr's letter of 8th November, which see.

April 3, Lambeth. Archbishop of Canterbury to ——. The salary of the Bishop of Nova Scotia was fixed by Pitt at £700 a year, instead of £600 originally intended, the additional £100 being intended for the rent of a house; this is in addition to £400 interest on legacies. Col. Cor. N. S. vol. 18, p. 367

April 7, London. Memorial to the Treasury by Rohl, for redress, or for transport for himself and other Germans to Bremen. Enclosed in Parr's letter of 8th November, which see. A second memorial, dated 12th April is also enclosed.

April 18, Halifax J. Peters to Anthony Todd. Respecting the establishment of packets to the West Indies, and enclosing the opinion of merchants on the subject. B. T. N. S. vol. 30

April 18, Halifax. Parr to Nepean (private). The object of the two attorneys (Sterns and Taylor) is to displace the present judges to make room for their own friends; they have raised a factious party among the new arrivals. "It is not an easy matter to satisfy an expecting Loyalist, their present want is every office in the government." Col. Cor. N. S. vol. 18, p. 244 (Duplicate in Col. Cor. N. S. vol. 32, p. 13).

April 18, Halifax Chief Justice Brenton to Hamond. Describes the attack made by Sterns and Taylor upon himself and his brother D. Col. Cor. N. S. vol. 32, p. 15

April 19, Halifax "Loyal Subject" to Secretary of State (Sydney). Attributes the dissatisfaction in Nova Scotia, not to faction, but to the irregular and improper manner in which justice is administered by the Supreme Court: papers enclosed as evidence. Col. Cor. N. S. vol. 18, p. 369

Enclosed. Paper with letter signed "Common Sense," (p. 374) memorial from inhabitants of Halifax to restore Sterns and Taylor to their position at the bar, of which they have been deprived, with Parr's refusal. (375) 374, 375

Other papers and letters on the same subject. 377 to 405

April 30, Halifax Parr to Secretary of State (Sydney). Two young attorneys (Sterns and Taylor) who have been struck off the roll for abusive language published against the justices of the Supreme Court, are going to London to represent their case. The danger of giving encouragement to these "turbulent spirits" who have stirred up a seditious, factious party against most of the officers of Government. 242

April 30, Halifax John Haliburton to Nepean. The case of Sterns and Taylor; the reason for their being struck off the roll of attorneys; their subsequent agitation in the province, with the object of providing for their own friends. 406

May 5, London. Capt. Shaw's sentiments on Andrew Rohl's application. Enclosed in Parr's letter of 8th November, which see.

May 6, Halifax Bulkeley to Lieutenant Governor. The first naval officer's lists sent direct by the Governor were dated 1st January, 1787; before that time they were sent by Tonge, naval officer. Col. Cor. N. S. vol. 18, p. 250

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May 5, Halifax. Parr to Lords of Trade. Shall send copies of Acts so soon as they can be prepared. B. T. N. S. vol. 30

May 5, Halifax. Same to Nepean (private). Did not know of the charges against Binney, or he would not have supported him. There is a great deal of underhand work going on which he cannot discover. Binney is a weak man and to be pitied. Leonard's conduct was in the opposite extreme to that of Binney; he would soon have fomented disputes with the Americans; his natural genius is to live in hot water. Gibbons is encouraging the people at Cape Breton against the governor, making seditious speeches to the grand jury, &c; he would be a useful man for the faction at Halifax, in the absence of Sterns and Taylor. "I am sur-"rounded with a number of fanatical, diabolical, unprincipled, expecting, "disappointed, deceitful, lying scoundrels, who exist upon Party of their "own creating, eternally finding fault with and complaining against their "superiors in office." * * * "We have some worthy, deser-"ving characters, to them I pay every attention."
Col. Cor. N. S. vol. 18, p. 246

May 9, Customs. Commissioners to Lords of Trade. Recommend that an investigation be made into the charges by Leonard against the revenue officers, and enclose papers on the subject. Documents (six in number) enclosed.
B. T. N. S. vol. 30

May 22, Halifax. T. Moncrieffe to Nepean. Has been appointed to the Council in Cape Breton; asks that he may be appointed to the same position in Nova Scotia. Col. Cor. N. S. vol. 18 p. 413

May 22, Halifax. Same to the same. The genius of Des Barres as a surveyor, but he has not the least idea of the civil or military constitution and has been led astray by Gibbons, who, he trusts, has not done the same for Parr and his Council. 414

May 24, Garlick Hill. Brook Watson to the same. Sends copy of Anthony Henry's appointment and prays that he may be secured in it for life. 410

Enclosed. Warrant appointing Anthony Henry to be King's printer for Nova Scotia, during pleasure. 411

May 24, Halifax. Binney to Nepean. Thanks for the speedy reference of his case to Dorchester for inquiry; courts the strictest scrutiny into his public and private conduct. 415

May 30, London. Jonathan Sterns and William Taylor. Abstracts of their case, with voluminous collection of papers attached. 418 to 457

(Copy in Col. Cor. N. S. vol. 32, p. 18).

Other correspondence follows, coming down to December, 1788. The Secretary of State held that their conduct was unjustifiable and that if they desired to have their names restored to the rolls, it must be by petition and apology. 461 to 479

June 2, Whitehall. Nepean to Parr. Sends estimate for 1788.
Col. Off. N. S. vol. 2, p. 41

June 6, London. Memorial of Rohl on behalf of 145 Anspach and Hessian disbanded chasseurs in Nova Scotia. Enclosed in Parr's letter of 8th November, which see.

June 18, Halifax. Parr to Secretary of State (Sydney). Sends naval officer's returns for Halifax and Shelburne from 1st January to 31st March.
Col. Cor. N. S. vol. 18, p. 303.

July 1, Whitehall. Secretary of State (Sydney) to Parr. Sends memorial and complaints from Rohl and other Hessians that they have been deprived of their lands, to be answered so that he (Sydney) may understand the circumstances. It being stated that persons admitted into the poor house at Halifax have been shipped to Britain, he must see that, if such a practice exist, it must be discontinued. 251

(The memorials and other documents were returned by Parr in his answer of 8th November).

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July 7, Halifax. Parr to Secretary of State (Sydney). The Bishop of Nova Scotia having declined to accept 1,000 acres, as insufficient for the bishoprick, he (Parr) desires to know what quantity he may grant. Col. Cor. N. S. vol. 18, p. 304

July 8, London. Morice to Nepean. Respecting the allowance to Walter, missionary at Shelburne Enclosed in letter of 29th June, 1789, which see.

August 12, Whitehall. Secretary of State (Sydney) to Parr. Transmits memorials, reports &c., on the complaint of Leonard, of which an investigation is to be made. Owing to the negligence of many of the revenue officers in the colonies, the investigation is to be thorough and a report made of the proceedings of other officers, besides those accused, so that, if necessary, an example may be made. Leonard has been examined and his proceedings not found censurable, but all his complaints are to be closely investigated at Halifax. Col. Cor. N. S. vol. 18, p. 254

Enclosed. Commissioners of Customs to Lords of Trade. 2nd June, 1788, with reports, &c., in the case of Leonard. 260

Report of the Surveyor General of Customs on Leonard's charges. 263

Report from Irving, Inspector General. 268

Form of charge against Collectors of Customs for issuing passports to vessels of the United States contrary to law. 273

Charge against Slayter, Comptroller of Customs at Halifax. 275

List of vessels without certificates of British registry, reported between 14th June and 3rd July, 1787. 277

Rules to be observed by Surveyors General, &c., appointed to examine any complaint against an officer of Customs. 278

August 12, Whitehall. Secretary of State (Sydney) to Parr. The charges and counter-charges of Leonard and the officers of Customs have been considered by the Committee of Council on Trade and their report laid before the King. Transmits the documents so that he, assisted by the Chief Justice and Attorney General, may make a searching inquiry and send a detailed report. Col. Off. N. S. vol. 2, p. 41

August 12, Whitehall. Same to the same. Sends copy of letter to Leonard for his guidance in the execution of the duties of his office. Leonard's proceedings in leaving without permission are disapproved of, but under the circumstances it is not judged necessary to inflict any punishment on him. Col. Cor. N. S. vol. 18, p. 285

Enclosed. Secretary of State to Leonard, same date. He is to return to Canso to resume his duties. Instructions as to the course he is to follow to prevent illicit trading and fishing, &c.; to employ as many deputies as may be necessary; to report to the Governor, through whom all orders shall be sent. 288

(Copies of letter and enclosure in Col. Off. N. S. vol. 2, pp. 44, 46).

August 13, Halifax. Parr to Nepean. Thought it absolutely necessary to appoint Pemberton Chief Justice soon after his arrival, although the mandamus had not been received. Had the appointment been made soon after the death of the late Chief Justice, it would probably have prevented the disputes between the puisne judges and the attorneys, who with Lawrence are now in London fabricating enormous falsehoods. Leonard is as turbulent and diabolical a spirit as ever existed. He (Parr) is fretted and vexed, all proceeding from his anxiety for the welfare of the province. The whale fisheries are uncommonly successful. The appointment of a Bishop has taken a great deal of trouble off his hands. Col. Cor. N. S. vol. 18, p. 311

August 14, London. Jadis to Secretary of State (Sydney). Calls attention to his claims on account of being forced to leave his lands by the rebellion. The matter was to be referred to Lord Dorchester, but that is two years ago and his case is not yet decided. 452

Parr to Secretary of State (Sydney.) Has received copy of a treaty with the United Provinces, of the estimates for 1788, and the mandamus appointing Pemberton to be Chief Justice. Col. Cor. N. S. vol. 18, p. 314

Secretary of State (Sydney) to Parr. Chief Justice Pemberton is to have leave of absence to go to London, as one of the commissioners for inquiring into losses in America. 298

(Copy in Col. Off. N. S. vol. 2, p. 52).

Secretary of State (Sydney) to Parr. Dr. Walter, of the parish of St. George, Shelburne, is to receive the annual allowance of £75, but on the arrival of Rowland to take charge of the parish of St. Patrick, the amount is to be divided. The full sum for last year is to be paid to Walter, but for this year half is to be reserved for Rowland.

Col. Cor. N. S. vol. 18, p. 301

Petition of the loyalists of the Church of Scotland in Shelburne for recognition and assistance. B. M. add: 19071, fo: 220

Secretary of State (Sydney) to Parr. Complaints received from officers of Montagu's regiment of being dispossessed of their lands by the surveyor of woods, on the ground that they contain timber fit for the navy; he is to redress this grievance by granting other lands. The negligence of the surveyors in not ascertaining before settlement whether such timber was on these lands; to examine and report on the exact condition of affairs. An inspection regarding the revenue department is ordered to be conducted by him (Parr); no private acquaintance is to interfere with the thoroughness of the investigation. Arrival of Sawyer. The lawyers have made their report on the case of Taylor and Sterns, but no decision has been yet arrived at.

Col. Cor. N. S. vol. 18, p. 305

Affidavit of Glassford, respecting forged certificates of registry. Enclosed in Parr's letter of 5th November, which see.

Parr to Secretary of State (Sydney). The General Assembly has voted £400 to hire a house and to pay masters for one year for an Academy, the place chosen being Windsor. It is to open on 1st November, with the best teacher procurable, until a selection is made by the Archbishop of Canterbury. The fees in the upper school are to be £4 yearly, in the English school £3, where arithmetic and the useful parts of practical mathematics are to be taught; boarders pay £16. The advantages of such an institution. Col. Cor. N. S. vol. 18, p. 316

Morris to Parr. Report on Rohl's memorial and complaint. Enclosed in Parr's letter of 8th November, which see.

Report by Bruce, Collector of Customs at Shelburne, on forged certificates of registry. Enclosed in Parr's letter of 5th November, which see.

Sterns to Nepean. Respecting complaint against the Council and judges of Nova Scotia. Enclosed in letter from Sterns and Taylor of 28th September, 1789, which see.

Morice to Parr. Respecting the allowance to Walter, as missionary at Shelburne. Enclosed in letter from Morice of 26th June, 1789, which see. Query from Parr, with answer, is in same enclosure.

Parr to Secretary of State (Sydney). Sends papers concerning counterfeited registers of vessels, received from Bruce, Collector of Customs at Shelburne. Col. Cor. N. S. vol. 19, p. 25

Enclosed. Report, 30th October, by Bruce, on certificates of British registry, said to be executed at Boston. 26

Affidavit, 19th September, of W. Glassford, master of the sloop "Agnes," that he was shown at Boston blank certificates of British registry with signatures of the Governor, collector and comptroller of customs at St. John, New Brunswick, alleged to be forged by John Newman, printer and engraver of Boston. 28

1788.

November 8, Halifax. Parr to Secretary of State (Sydney). Denies the statement of Rohl in letter of 1st July; he is a worthless man and latterly his own countrymen would not acknowledge him. How lands were allotted to the various classes of settlers. Rohl and his party took possession of lands already occupied, although fully warned. Col. Co. N. S. vol. 19, p. 1.

Enclosed. Report of Morris, Surveyor General, dated 24th October, that Rohl and his associates had taken possession of land already granted to Doutrement and other French Acadian families. Rohl and the others had suitable unappropriated lands offered them. 9

Robert Gray (extract,) dated 5th March, 1785, that German settlers had taken possession of land occupied by others, although warned against it. 4

"State of fact" by Rohl, dated 28th March, 1788. 1

Memorial by Rohl, 7th April. 12

Another memorial dated 12th April. 19

(These are both to the Treasury.)

Memorial of Rohl to Secretary of State, 6th June. 21

"Captain Shaw's sentiments on Andrew Rohl's application," 2nd May. 23

November 8, Halifax. Parr to Secretary of State (Sydney). Sends naval officer's returns from Halifax from 1st April to 30th September; those from Shelburne shall be sent when prepared. 30

An abstract of returns is at the end of the letter. 31

November 12, Halifax. Parr to Secretary of State (Sydney). Sends proceedings of commissioners to inquire into the conduct of the revenue officers of Halifax. Nothing further can be done till Leonard appears personally to substantiate his complaints. 32

(Duplicate in Col. Cor. N. S. vol. 32, p. 22.)

Enclosed. The proceedings, with the charges and specific answers to each. Col. Cor. N. S. vol. 19, p. 33

(Duplicate in Col. Cor. N. S. vol. 32, p. 24.)

December 2, Halifax. Tonge to Dorchester. Enclosed in Tonge's letter to Grenville, dated 1st May, 1790, which see.

December 14, Whitehall. Secretary of State (Sydney) to Sterns and Taylor. Recapitulates the terms of their complaint against the Council and judges, and can see no partiality or ignorance in their decision of the case as complained of. Enclosed in Sterns and Taylor's letter of 8th July, 1789, which see. A copy is in Col. Off. N. S. vol. 2, p. 53.

December 22, Halifax. Parr to Secretary of State (Sydney.) Sends memorial for a certificate of registry; his doubts as to granting it from the vessel having been built of the timber of a vessel belonging to the United States, and the facility of importing frames. He has granted the certificate on the advice of the Attorney and Solicitor General, but submits the case for instructions. Col. Cor. N. S. vol. 19, p. 64

Enclosed. Memorial from Simon Perkins. 67

December 26, Halifax. Wentworth to Parr, respecting the complaints of officers of Montagu's regiment. Enclosed in Parr's letter of 29th December, which see.

December 29, Halifax. Parr to Secretary of State (Sydney.) Encloses answer from the surveyor general of woods and copy of his report to the Treasury of 5th March, respecting the complaints of the officers of the Duke of Cumberland's corps, under the command of Lord Charles Montagu. These will show they had justice done them, even partiality, and hopes they will prove satisfactory. Col. Cor. N. S. vol. 19, p. 69

Enclosed. Wentworth to Parr, 26th December, reporting the complaints to be groundless and explaining the position of affairs. 70

Report by Wentworth, 5th March, 1788, answering each complaint in detail, stating that the complainants had never been granted any of the

reservations from which they allege they were removed, &c., and that many of the privates, who were grantees, had disposed of their lands for a little tobacco or rum and had left. Col. Cor. N. S. vol. 19, p. 72

Plan, with the lands marked that were granted or reserved. 79

Regulations for the Academy at Windsor. Enclosed in the Bishop of Nova Scotia's letter of 8th September, 1790, which see.

Parr to Nepean. Has sent to the Secretary of State the answer to complaints made by officers of the Duke of Cumberland's corps, commanded by Montagu. Col. Cor. N. S. vol. 19, p. 80

Same to Secretary of State (Sydney). The legislature met on the 5th of March and was closed on the 9th April. Sends list of laws. 82

Enclosed. List. 83

Parr to Secretary of State (Sydney). Sends naval officer's reports for Halifax and Shelburne. 85

Reports. 86

Parr to Secretary of State (Sydney). The proceedings of the legislature conducted with good humour; a few of the new settlers were disposed to be refractory but a motion for censuring the Council for the advice they gave in the affair of the judges was negatived by a vote of 21 to 8. The same men who had attacked the judges not only voted them their full salary but passed a bill to make their salaries permanent during their continuance in office, a strong proof of the good opinion the country has of their conduct, the House having been misled by false reports. The progress of the province in fishing and farming, especially the former. 87

Same to Nepean. The winter has passed quietly; there have been no seditious meetings since the two attorneys left to lay their imaginary grievances at the foot of the throne. The meeting of the legislature described substantially, as in letter to Sydney of same date. 89

Enclosed. Address by the Legislative Assembly on being prorogued. 91

Walter to Morice. Parr has refused to grant him bills for his allowance as missionary to Shelburne. Enclosed in letter of 26th June, which see.

Parr to Secretary of State (Sydney). Has received form of prayer for the King's restoration to health. Col. Cor. N. S. vol. 19, p. 92

Sterns and Taylor to the same. For redress against the decision of the Council and judges of Nova Scotia. 237

Memorial of Andrew Rohl for redress for himself and other disbanded German troops, and for the continuance of the allowance to them. 239

Millidge to Morris. Lands for the black people. Enclosure marked E in Bulkeley's letter of 19th March, 1792, which see.

Parr to Secretary of State (Sydney). Is sending to Cumberland for presentation, an address from the Assembly of congratulation on the King's recovery. Col. Cor. N. S. vol. 19, p. 93

Enclosed. Address. 94

Nepean to Parr. Sends estimate for 1789. Col. Off. N. S. vol. 2, p. 58

Major Shaw to Nepean. Applies for his pay whilst serving in command of the volunteers in Nova Scotia. A certificate from Arbuthnot, dated 1st June, is attached. A. & W. I, vol. 598

Parr to Secretary of State (Sydney). Has received directions for his conduct should he have reason to apprehend distress to those engaged in the fisheries for want of bread, flour or Indian corn. Col. Cor. N. S. vol. 19, p. 96

Morice to Nepean. Sends copy of letter to Parr and extract from letter by Dr. Walter respecting his allowance as missionary at Shelburne. 241

1789.

Enclosed. Statement, 8th July, 1788, respecting the arrang
that Walter was to receive half the allowance as missionary to
burne should Rowland enter on the duties of the other parish
but Rowland, not having come, Walter was to get the whole, whic
refuses to pay.

Morice to Parr. 4th November, 1788, explaining the reas
Walter receiving the whole of the allowance as missionary at Shel
after it was decided that Rowland should have half.

The query from Parr, referred to in Morice's letter, was in reg
the division of the grant to missionaries, and was answered by
that each was to get £75.

Walter to Morice, 21st April, 1789. The refusal of Parr to gra
for the full amount of the allowance as missionary at Shelburne.

July 3, Halifax. Parr to Secretary of State (Sydney). Sends list of Acts passe
session and journals.

Enclosed. List.

(The text of the Act establishing the college at Windsor, at t
of the list, is in the printed collection, cap. 4, 1789, vol 1, p. 268)

Journal of Legislative Council. Col. Cor. N. S. vol. 19,

Journal of Legislative Assembly.

July 5, London. Memorial of Abraham Whittlebauck and Nehemiah Field,
their services and losses, the fees they had to pay for land in Nova
the forfeiture of the "Polly Hall," which they brought from Ne
loaded with fish, &c., and praying for relief.

Enclosed. The proceedings in the Vice Admiralty Court for th
feiture of the "Polly Hall."

July 8. London. Sterns and Taylor to Secretary of State (Grenville). Renew
plaint against the administration of justice in Nova Scotia.

Enclosed. Secretary of State (Sydney) to Sterns and Taylor, s
December, 1788.

July 15, London. Sterns and Taylor to Secretary of State (Grenville). Desire
of the proceedings of the Council of Nova Scotia in their case.
Col. Cor. N. S. vol. 19,

July 15, London. Petition of Reuben McFarlin, of Halifax, for relief in the for
of the sloop "Fox" and effects, brought from Massachusetts, he
loyalist.

Enclosed. Proceedings before the Vice Admiralty Court.

July 23, Halifax. Parr to Secretary of State (Sydney). Sends naval officer's ret
Halifax from 1st April to 30th June.

July 25, Halifax. Parr to Secretary of State (Grenville). Has learned that he
ville) has succeeded Lord Sydney as Secretary for the Home
ment.

(William Wyndham Grenville, afterwards Lord Grenville, took
on 5th June).

July 25, Halifax. Parr to Secretary of State (Grenville). Has received order-in
cil to allow, for this season only, the importation of bread, flo
Indian corn into Newfoundland; also order allowing the importa
the same into all the countries bordering on the St. Lawrence an
Labrador by British subjects in British ships. Estimate also re

July —, Whitehall. Secretary of State (Grenville) to Parr. Sends memorial from
Cowan, on behalf of McNutt and others, grantees in Nova Scotia
directions to delay escheating their lands, as they intend to proc
the cultivation and settlement thereof.

Enclosed. Cowan's memorial, in which the dates, quantities,
the grants are given.

89.
t 1,
x.

Memorial of Anthony Henry, printer to the Government of Nova Scotia, to be put on the same establishment as His Majesty's printers in Quebec and New Brunswick. A. & W. I. vol. 598

1,
x.

Parr to Secretary of State (Grenville). Sends reports from the superintendent of trade and fishery at Canso. Col. Cor. N. S. vol. 19, p. 222

Enclosed. List of deputies with the bounds of their districts. 223

Reports of vessels arriving, sailing &c., between 9th April and 9th July, with their cargoes. 224

(These reports appear to have taken the place at Canso of the reports of the Naval Officers at other ports.)

ber 8,
x.

Parr to Secretary of State (Grenville). Sends Naval Officer's report for Shelburne, for the half year ending 30th June. 230

ber 28,
n.

Sterns and Taylor to the same. Transmit answers to the statement of the judges on their case. 258

Enclosed. Answers. 263

Copy of letter to Nepean, 4th November, 1788, respecting complaint against the Council and judges. 321

r 3,
n.

Sterns to Secretary of State (Grenville). Asks for an audience on the subject of his complaints. 327

r 8,
n.

Same to the same. How he and Taylor could be restored to their positions as members of the Bar. 394

r 17,
x.

Parr to the same. Sends Naval Officer's reports for Halifax and Shelburne from 1st July to 30th September. Col. Cor. N. S. vol. 20, p. 10

r 20,
hall.

Secretary of State (Grenville) to Parr. Dispatches received; application for register by Perkins, for a vessel building in Nova Scotia sent to Lords of Trade for consideration. Col. Cor. N. S. vol. 19, p. 231

(Copy in Col. Off. N. S. vol. 2, p. 59).

r 20,
hall.

Secretary of State (Grenville) to Parr. Resignation by Pemberton of the office of Chief Justice; Strange will be recommended to succeed; this will prevent the granting of the application in favour of Blowers, which would have been granted had the subject been disengaged when his letter arrived. Col. Cor. N. S. vol. 19, p. 233

(Copy in Col. Off. N. S. vol. 2, p. 60).

ber 4,
x.

Parr to Secretary of State (Grenville). Sends returns of vessels entered and cleared at Canso. Col. Cor. N. S. vol. 20, p. 1

ber 4,
x.

Same to Nepean. Dorchester has revived Binney's affair, in which he (Parr) shall not further interfere. The new academy and the church being so well established may bring teachers and clergy from the United States; the danger of allowing such men, without loyal principles, to obtain offices. The good disposition of Foster. Is sending back about 20 poor wretches who came from England, Scotland and Ireland, and have become a burden, having no claim. 2

ber 7,
x.

Bishop of Nova Scotia to Brook Watson. Sends copy of charge to the clergy, in which is an account of the opening of the seminary. The liberal treatment by the Assembly; has purchased a lot of 70 acres on which to build, but can proceed no further without help. The number of students and the advantages afforded by such a seminary; a stone building is wanted to accommodate about 50 students. The economy that would be observed, as is proved by the building already of six churches and five or six more to be built in a year or two from the money voted for that purpose. Private subscriptions might be obtained, but the important effect would be produced by assistance being rendered by Government. The critical period for the country, which by proper means may be populated by an industrious, well informed and flourishing people or, if the means are neglected, they may become indolent, extravagant, poor, discontented and without a proper sense of religion, loyalty or subordination. 336

1789.
December 16, Whitehall. Secretary of State (Grenville) to the Bishop of Nova Scotia. To transmit statement of the clergy of the Established Church within his jurisdiction, with details of the salaries and emoluments of each, under different heads, whether established by law, or arising from private donations. He is also to furnish an account of the numbers and emoluments of any other ministers or priests, with his opinion what measures should be adopted for placing the state of religion on a more respectable footing than it is now, especially in Quebec.
Col. Cor. N. S. vol. 19, p. 235
(Copy in Col. Off. N. S. vol. 2, p. 61).

December 28, N. Brunswick. Leonard to Nepean. The steps he took to restrict the Americans to their fishing rights under the treaty. The advantage of extending the office of superintendent over the whole coast, instead of restricting it to one district. Having no fees, all the expense must come out of his salary. Col. Cor. N. S. vol. 20, p. 349

No date. Extracts from observations upon the estimate for 1789. It is proposed to allow Dr. Breynton £150 per annum on his relinquishing his living at Halifax. Col. Cor. N. S. vol. 32, p. 28

1790.
January 9, London. W. Taylor to Secretary of State (Grenville). Presses for an answer to the request by him and Sterns for relief. Col. Cor. N. S. vol. 20, p. 332

January 10, Halifax. Tonge to the same. Enclosed in Tonge's letter of 1st May, 1790, which see.

January 15, Whitehall. Nepean (?) to Taylor. Grenville considers that the regular mode of bringing forward his complaint and that of Sterns, is by an application to the King in Council. Col. Cor. N. S. vol. 20, p. 334

January 28, Tunbridge Wells. Cumberland to Nepean (?) Watson has had a conversation with Grenville respecting the charge of the Bishop of Nova Scotia and also on the subject of building a college at Windsor. Sends extract from letter of the Bishop to Brook Watson (see letter of 7th December, 1789). 336

Memorial from Cumberland (undated) respecting the college at Windsor. 343

February —, Halifax. Account of lands granted to disbanded soldiers, &c. Sent to Nepean in May, 1791, with other papers respecting fees claimed by Gibbons, see that date.

March 9, Halifax. Grant of a water lot to Dight. Enclosed in Brook, Watson & Co. to Dundas, 7th February, 1792, which see.

March 17, Halifax. Extract from letter respecting the proceedings of the Assembly in the charge against the judges. Enclosed in letter from Breynton of 29th April, which see.

March 18, Halifax. Parr to Secretary of State (Grenville). Submits petition from the House of Assembly. Col. Cor. N. S. vol. 20, p. 3.

Enclosed. Petition on behalf of loyalists who had it not in their power to submit their claims to the Commissioners. 6

March 18, Halifax. Parr to Secretary of State (Grenville). Sends address from the House of Assembly to the King. 8

Enclosed. Two addresses congratulating the King on his restoration to health; both are dated 16th March, and signed by Richard John Uniacke, Speaker 9

March 18, Halifax. Parr to Nepean. The December mail has arrived, but not those for October or November. Has no instructions as to the two turbulent attorneys; everything was quiet during their absence, but since the return of Sterns the old subject is revived and the Assembly has impeached the puisne judges in thirteen articles. The whole affair arises from a cursed factious spirit, never known before the arrival of the loyalists. If the judges have been guilty of corruption, or partiality, he would prosecute them criminally; had there been a steady Chief

Justice this affair would never have taken place. The prosecutors are men seeking to have the seats on the bench and about six or seven violent, dissatisfied persons have joined them. Col. Cor. N. S. vol. 20, p. 16

Parr to Secretary of State (Grenville). Transmits address of the Assembly. 13

Enclosed. Address, stating the satisfaction of the old settlers at the kindness shown to the loyalists and praying that the losses of the old settlers may also be considered. 14

Report of committee on naval office, enclosed in Tonge's letter of 1st May, which see.

Alexander Leckie to ————. The bad policy of making members of Assembly collectors; an example given. The affair of the judges; thinks Sterns and Taylor were badly treated. Reports abuses in the expenditure of money charged for the settlement of the loyalists. The military should work on the roads; improvement of trade, &c.
Col. Cor. N. S. vol. 20, p. 346

Secretary of State (Grenville) to Parr. Sends papers relating to the seizure and trials of the "Polly Hall" and "Fox" for inquiry, the owners having petitioned that His Majesty's share in these seizures might be remitted. Col. Off. N. S. vol. 2, p. 63

Extract from minute of Council, disagreeing with the bill passed by the Assembly respecting the naval office.

Enclosed. Act entitled "An Act for regulating the naval office and for ascertaining the fees thereof."

Memorial of the Assembly, 14th April, asking the Lieut. Governor to issue a a proclamation that the naval officers are not to exact fees from fishing vessels, markets boats, or coasting vessels, loaded with the produce of the province. The table of fees follows signed by Tonge, naval officer.

The extract and enclosures are in B. T. N. S. vol. 30.

Parr to Secretary of State (Grenville). Sends naval office reports for Halifax, from 1st October, 1789, to 31st March, 1790.
Col. Cor, N. S. vol 20. p. 67

Same to the same. The General Assembly met on the 25th February and closed on the 21st April. Sends list of Acts passed. Has refused assent to the bill for limiting the duration or continuance of the General Assembly. 21

Enclosed. List of Acts passed. 22

Parr to Secretary of State (Grenville). Received dispatches for Dorchester on 26th March and immediately forwarded them by Lieut. Tingling. 27

Same to the same. The assumption of authority by the House of Assembly; the resumption of the charges against the puisne judges, who are now impeached, the examination being conducted with all the forms of a trial at a court of law, the public being admitted by ticket. Being confident of the integrity of the judges he had not interfered; had refused to suspend the judges as requested by the House of Assembly. Has received addresses in favour of the judges from different parts of the country. It is unfortunate that the incomes of the judges are dependent on the House of Assembly, as they must either court the favour of the leading members, or be subject to complaints on all occasions, however frivolous. Disagreement between the Assembly and Council on the revenue and appropriation bills; the Council intend to communicate the reason of the disagreement. The good temper and moderation of the Council; instructions wanted to define explicitly the powers of the two Houses. Is afraid some of the Council may resign, owing to the invectives against them of popular members in the Assembly; that

1790. House has chosen two of its members to proceed to London, as its agents and advocates. Col. Cor. N. S. vol. 20, p. 58

April 24, Halifax. Parr to Nepean. The almost continual disputes between the Legislative Council and Assembly; if the Council is not supported he cannot answer for the consequences. Some members of the Assembly treat exactly in the same steps as the leaders of the late rebellion. It is reported that Dorchester goes to the East Indies, in room of Cornwallis; in that case hopes that he (Parr) may be restored to his former rank of Governor. 54

April 24, Halifax. John Haliburton to Nepean (?) Respecting the charge against the judges of the supreme court; the groundlessness of the complaints. 207

April 25, Windsor, N.S. Tonge to Parr. Remonstrates against the withdrawal of deputy naval officers from the outposts. Minutes of Assembly from 25th February to 26th April regarding the naval office, follow. B. T. N. S. vol. 30

April 29, London. John Breynton to Nepean. Sends an extract which may be useful. Col. Cor. N. S. vol. 20, p. 332

Enclosed. Extract (unsigned), dated Halifax, 17th March, 1790, respecting the action of the Assembly in relation to the charge against the judges. 334

May 1, Windsor. Tonge to Secretary of State (Grenville). Enters into a detail of charges of partiality against the Assembly in order to destroy the naval office, so as to promote smuggling.

Enclosed. Letter to Dorchester, dated 2nd December, 1789, representing the state of the naval office and the efforts made to abolish it.

Tonge to Secretary of State (Grenville) on the same subject, 19th January, 1790.

Report of the committee of Assembly appointed to inquire into the business of the naval office, Halifax, 25th March, 1790.

Tonge's letter and the enclosures in B. T. N. S. vol. 30.

May 3, Halifax. Parr to Secretary of State (Grenville). Sends address from the Assembly to have two counties added for representation, which would give an increase of four members. His objection to the prayer of the address, as he is afraid it would add to the power of a faction. Col. Cor. N. S. vol. 20, p. 68

Enclosed. Address. The two counties proposed were to be gained by dividing each of the counties of Halifax and Annapolis; the proposed boundaries are given. 69

May 4, Halifax. Members of Council to Secretary of State (Grenville). State the controversies between the Council and Assembly and the causes. 72

May 5, Halifax. Parr to the same. Transmits address of the Assembly against the puisne judges, with articles of charges and depositions in support of them, answer, representation and memorial from the judges. 78

Enclosed. (1). Address against the puisne judges of the Supreme Court. 79

(The articles of charge and depositions, numbered 2 to 12, are marked as missing).

(13). Explanation of the puisne judges to the articles of charge, each article set out in full, followed by the answer. 85

(14). Objection to the powers of the Assembly alone, but the judges are ready to meet a fair and impartial investigation of their conduct. 92

(15). Memorial of Isaac Deschamps and James Brenton, puisne judges, that they have not been regularly paid their salaries for three years, and praying Grenville that he would call the attention of His Majesty's Government to their case. 96

May 5, Halifax. Parr to Secretary of State (Grenville). Sends journals of Council and Assembly. 99

Enclosed. Journal of Council from 25th Feb. to 21st April, 1790. 99

1790.

Journal of Assembly, same period. Col. Cor. N. S. vol. 20, p. 193

6, Whitehall. Secretary of State (Grenville) to Ogilvie. The 47th and 62nd regiments, intended to relieve the 54th and 57th, are to proceed to the Bahamas and Jamaica; the 54th and 57th, if they have not sailed before this reaches, are to remain in Nova Scotia. Should the ships, however, have left, other means will be found to convey the 47th and 62nd to the Bahamas and Jamaica. 18

8, Halifax. Parr to Nepean. Dispatches sent to Grenville; shall not comment on those respecting the differences between the Council and Assembly and the old story of the puisne judges, except to say that if the Council and officers of Government are not properly supported, no man can answer for the consequences. Some members of the Council swerve confoundedly from the truth and want to have the whole management of the province. 36

10, London. James Hutton, Secretary to the Unitas Fratrum (United Brethren or Moravians), to Lords of Trade. Sends autographs and seals of the Bishops of that Church, appointed to give certificates under the Act 22 George II, for encouraging the people known by the name of Unitas Fratrum or United Brethren. B. T. N. S. vol. 30

The autographs and seals follow. They are those of Christian Gregor, Johann Friedrich Reichel, John Ettivein, Georg Trancker, Jeremias Risler, Jacob Christoph Duvernay, Samuel Liebisch, Christian David Benjamin Rothe, each of whom signs: "Episcopus Unitatis Fratrum."

20, Halifax. Parr to Secretary of State (Grenville). Dispatches received. Col. Cor. N. S. vol. 20, p. 47

20, Halifax. Bishop of Nova Scotia to the same. Thanks for the King's interest in the state of religion in Nova Scotia; the obstacles to its advancement. The position of the Church of England as compared with that of the Church of Rome in Quebec, of which he had sent a representation to the Archbishop of Canterbury. In New Brunswick there are six missionaries and one dissenting minister; in Nova Scotia there are thirteen clergymen, seven Presbyterian ministers and a multitude of Methodist teachers and sectaries; in Cape Breton there are two clergymen, one a missionary, the other chaplain to the garrison; in St. John Island one clergyman. In Nova Scotia are three Romish priests and as many in Cape Breton. The deranged state of ecclesiastical affairs in distant parts of the province obliges him to make a visitation there. In the City of Quebec a church is much wanted; a clergman of exemplary character is much needed at Niagara and another at Detroit. The Protestants in these places are numerous, but for want of a clergyman are baptized by Romish priests and generally educated in the religion of Rome. Has received numerous representations as to the necessity of sending clergymen and recommends that one be sent to each of these places. Has obtained an annual grant of £400 sterling from the Legislature for a seminary at Windsor, but without a building it would be imperfect; recommends the consideration of this as a matter in which the interests of religion and loyalty, as well as of literature, are deeply involved. There is no churchyard at Halifax, the ground around the church being made the receptacle for filth of all kinds. It is stated to belong to the King and to be intended for a parade ground, of which there are six already in Halifax. Shall use his utmost endeavours to promote the cause of religion. 49

30, London. Memorial of John Solomon, to be employed in the recruiting service, should it be thought necessary to raise troops in Nova Scotia. A. & W. I. vol. 598

1, Halifax. Parr to Secretary of State (Grenville). Transmits list of members of Council. Has received Act regulating trade between British America, the West Indies, United States &c. Col. Cor. N. S. vol. 20, p. 58

1790.

Enclosed. List of members of Council. Col. Cor. N. S. vol. 20, p. 60

June 2, Halifax. Parr to Secretary of State (Grenville). Has received petitions of Whillbauk and Field and part of the proceedings of the Vice-Admiralty Court on the seizure of a schooner of which they were owners, and of a ship of which McFarlin was owner. Sends report by the Collector and Comptroller of Customs respecting the causes and circumstances of these seizures. 54

Enclosed. Report on the seizure of McFarlin's sloop the "Fox." 56

The same on the seizure of Whellbauk (*sic*) and Field's schooner the "Polly Hall." 57

June 5, Whitehall. Secretary of State (Grenville) to Parr. The dispatch received respecting the annual grant for the support of a college in Nova Scotia, a grant of £1000 has been voted by Parliament to assist in the expense of building, and the King has resolved to grant a royal charter and such lands as may form a permanent fund for the support of the college. Instructions have been given to prepare a plan for establishing in the two universities of the kingdom, foundations for the maintenance of young men, natives of the North American Provinces, to be selected from the college in Nova Scotia or other college in British North America, by which they can finish their studies in an English university, and be appointed, if qualified, to benefices in British America. To assist in forming this plan, information is to be sent of the number, income &c., of the clergy of the Church of England in Nova Scotia and also a plan for the division of the province into parishes. 57

(Noted: "A like letter was sent to the Bishop of Nova Scotia." Copy in Col. Off. N. S. vol. 2, p. 64.)

June 5, Whitehall. Secretary of State (Grenville) to Parr. Dispatches received. Col. Cor. N. S. vol. 20, p. 66

(Copy in Col. Off. N. S., vol. 2, p. 71.)

June 5, Whitehall. Secretary of State (Grenville) to Parr. His concern at the party spirit in Nova Scotia, but shall not enter into any of the particulars until he receive the documents promised. Col. Cor. N. S. vol. 20, p. 41

(Copy in Col. Off. N. S. vol. 2, p. 72).

June 5, Whitehall. Nepean to Parr. Dispatches sent for Dorchester to be forwarded. Col. Off. N. S. vol. 2, p. 64

June 11, Halifax. Parr to Secretary of State (Grenville). Has received instructions restraining further grants of land, &c. Col. Cor. N. S. vol. 20, p. 61

June 12, Halifax. Ogilvie to the same. Has ordered the 42nd and 62nd regiments, which arrived on the "Endymion" and "Actæon" on the 30th May, to proceed to Jamaica and the Bahamas, as by instructions in letter of 6th May. The 62nd sailed for Jamaica on the 9th and the other regiment on the 11th instant. They were furnished with camp equipage from the stores. 62

(In the letter from the Secretary of State of 6th May, the regiments are given as the 47th and 62nd. In the above letter the 42nd and 62nd are mentioned in one place and 47th immediately below. The 42nd was in Scotland during the period in question and the 47th had left, according to the War Office returns, for Halifax where the regiment arrived at the date given above, although there is no record, so far as could be ascertained, that it sailed for the Bahamas on the 11th June, as stated in the letter).

June 12, Halifax. Parr to Nepean. His gratification at the arrival of the Chief Justice; regrets he had not arrived some months ago, as he would have saved him (Parr) much anxiety and avoided much disturbance in the province, the work of a few as in the United States. Lawrence, a firebrand, sailed for London lately, under pretext that he was to raise money for the seminary. Is notified of the order to dispose of the "Greyhound" engaged in the provincial service; she has been twice set up to public

auction, but no bids have been made approaching her value; has, therefore, laid her up in the careening yard. The order from the Treasury has arisen from false representations that she was of no use; the services on which she was employed, none of which can now be effected.
Col. Cor. N. S. vol. 20, p. 64

Nepean to Parr. Sends estimate for 1790.
Col. Off. N. S. vol. 2, p. 73

Parr to Secretary of State (Grenville). Sends naval office reports for Halifax, from 1st April to 30th June, 1790, and for Shelburne from 1st October, 1789, to 31st March, 1790. Col. Cor. N. S. vol. 20, p. 281

Same to Dight. To desist from prolonging his wharf. Enclosed in Brook Watson & Co. to Dundas, 7th February, 1792, which see.

E. Lawrence to Secretary of State (Grenville). He and Isaac Wilkins have been appointed agents for the province, in conjunction with Cumberland, but Wilkins has been prevented from coming. The loyalty of the province; will give all the information desired respecting its affairs.
Col. Cor. N. S. vol. 20, p. 361

List of students in the seminary. Enclosed in Bishop of Nova Scotia's letter of 8th September, which see.

Parr to Secretary of State (Grenville). Sends reports of the deputy superintendent of trade at Canso. Col. Cor. N. S. vol. 20, p. 282

Same to Nepean. Sends petition of the widow Largin, whose situation is truly pitiable. 283

Enclosed. Petition of Elizabeth, widow of Lieut. Largin, of the British Legion, drowned at Shelburne. 284

Recommendations by the clergy, magistrates and others. 286

Parr to Secretary of State (Grenville). Has received copies of two Acts relating to new settlers and to trade and navigation, also copy of the estimates for 1790. Should people arrive, intending to settle, he is prevented by instructions from granting them land. 290

Chief Justice Strange to Bernard. Narrative of his proceedings, after arrival, in the case of the impeached judges, &c. 363

Enclosed. Statement (in form of a journal) with correspondence. 369

Secretary of State (Grenville) to Parr. Sends order-in-Council disallowing Act passed in December, 1787, to enable Tonge to dispose by lottery of parts of his estate. Col. Off. N. S. vol. 2, p. 74

Parr to Secretary of State (Grenville). Has acknowledged receipt of dispatch signifying the King's intentions for the promotion of learning and the established religion in the Province. As to lands for the support of a college, the most advantageous have already been granted, but there are still more than 30,000 acres left, which will become valuable by the increase of population and opening of roads. There are 16 ministers of the Church of England, 12 in parishes; the remainder are employed in the college, as missionary to the Germans, in the parish of Halifax and grammar school there. This school and the college are the only places which can be said to afford education. As to the sources and amount of incomes; each parish has its glebe lands; except in Halifax, the parishioners can give no considerable suport to their ministers and the advantage from the glebes cannot at present be taken into consideration; in future they may be valuable. There are 29 students at Windsor; 16 are now learning Latin and Greek; two or three of these may receive an education for Holy orders. The number required for the ministry depends on the improvement of the country and the increase of population; in a short space of time an addition of two at least will be required. Col. Cor. N. S. vol. 20, p. 293

Same to the same. Sends copies of the laws passed in the session from 25th February to 21st April. 319

1790.

Enclosed. List of Acts. Col. Cor. N. S. vol. 2

September 8, Halifax. Bishop of Nova Scotia to Secretary of State (Grenville). G account of the state of the Church of England in the three prov Quebec, New Brunswick and Nova Scotia, also of the semin Windsor. Col. Cor. N. S. vol. 2

Enclosed. List of the clergymen of the Church of England provinces of Quebec, New Brunswick and Nova Scotia.

List of students in the seminary of Windsor, N. S., specifying classes and studies, with the names of their fathers and the places residence.

Regulations for the academy at Windsor.

September 11, Halifax. Parr to Nepean. Dispatches for Dorchester forwarded by Tinling, (Tingling elsewhere) who went to and returned from a distance of 1,500 miles, in 53 days, the shortest time in wh that season (from the 25th of March) it was ever done by a man; the dangers and hardships of the journey. Recommend ling as an active officer, whose services in case of a war would b valuable.

Col. Cor. N. S. vol. 2

Enclosed. Account by Tinling of his journey with note penses.

September 16, Halifax. Parr to Secretary of State (Grenville). Has published the decla of the King of Spain respecting the seizure of vessels at N Sound.

September 20, Halifax. Same to the same. Bowles with two Cherokee and two Creek wa put in from the Bahamas on their way to Quebec, to which pl Richard Hughes gave them a passage by a ship of war. Dec hearing of a war with Spain, sent them by a small vessel to L which was seized at St. John Island for debt and the party havin to Halifax in distress, he (Parr) sent them forward and pai passages, so that they might lay their case before the King.

(For some information respecting Bowles, see report on Arch 1890, pp. xlii. xliii and Archives series Q. vol. 45–2, pp. 535 to Q. vol. 50–1, p. 417, in which Grenville reports the arrival in Lo Bowles and his party and the little encouragement they met wit

Enclosed. Memorial from the Creeks and Cherokees, sig Bowles, representing the seizure of their vessel at St. John Isl asking for help to proceed to London.

September 22, Halifax. Parr to Nepean. Reports the contents of letter to Grenv pecting Bowles and his party.

September 22, "Adamant." Sir Richard Hughes to Secretary of State (Grenville). Rep arrangements made by Parr in respect to Bowles and his party

September 24, Halifax. Contingencies of the army. See table, 24th June, 1791.

October 6, Whitehall. Secretary of State (Grenville) to Parr. Has received papers to the charges against the puisne judges, which he has transm be laid before the King, but cannot hold out hopes that a cou instituted in Nova Scotia to go through these charges.

Col. Cor. N. S. vol. 2

(Copy in Col. Off. N. S. vol. 2, p. 74.)

October 6, Whitehall. Secretary of State (Grenville) to Parr. Has received pe division of the counties of Halifax and Annapolis, but ha received any commands on the subject. Other dispatches rece

Col. Cor. N. S. vol. 2

(Copy in Col. Off. N. S. vol. 2, p. 75.)

October 12, Halifax. Parr to Secretary of State (Grenville). Has received orde disallowance of an Act passed in December, 1787.

Col. Cor. N. S. vol. 2

18, Foretier, Adhemar and Blondeau to Watson (in French). Respecting trade in the western country. Enclosed in Watson's letter of 21st February, 1791, which see.

28, Parr to Secretary of State (Grenville). Transmits reports from the deputy superintendent of trade at Canso. Col. Cor. N. S. vol. 20, p. 326

Enclosed. Reports. 327 to 330

r 10, Parr to Secretary of State (Grenville). Has made grants of land to the Bishop of Nova Scotia and Lieut. Governor Fanning. 331

r 13, Chief Justice Strange to Dean of Christ Church. For advice respecting plan of a building for the proposed college at Windsor. 389

r 1, Parr to Secretary of State (Grenville). Sends list of Councillors. Col. Cor. N. S. vol. 21, p. 1

Enclosed. List. 2

r 14, E. Bridgeman to Nepean. States the expenses to be incurred whilst holding the office of inspector general of the provincial forces and the grounds for his demand. Certificate is attached and copy of a letter to Secretary Rose of the Treasury. A. & W. I. vol. 598

r 20, Lord Macclesfield to————. Respecting the situation of Tonge, naval officer at Halifax. Col. Cor. N. S. vol. 20, p. 395

r 20, Joseph Peters to Parr. For payment of postage account. Enclosed in letter from Samuel Peters to Nepean of 23rd May, 1791, which see.

r 20, Bishop of Nova Scotia to the Archbishop of Canterbury. Respecting right of presentation. Enclosed in the Archbishop's letter to Nepean of 1st March, 1791, which see.

r 22, tia. Extract from letter (unsigned) on the subject of removing the whale fishery to Milford Haven. Col. Cor. N. S. vol. 21 p. 318

r 24, Parr to Joseph Peters. Respecting postage account. Enclosed in letter from Samuel Peters to Nepean of 23rd May, 1791, which see.

r 24, Contingencies of the army, see table 24th June, 1791.

r 30, ll. Secretary of State (Grenville) to President of Council. Transmits two letters from Tonge, with documents relating to the naval office. B. T. N. S. vol. 30

r 31, Parr to Secretary of State (Grenville). Stokes will report, no doubt that he (Parr) had done everything in his power towards the success of the whale fishery to be established at Milford Haven. Had he been informed of the design five or six years ago, is persuaded that few of the Quakers would have remained at Nantucket and that none of them would have gone to Dunkirk, in France. Sends proposals from the Quakers settled at Dartmouth, showing the difficulties attending their removal. Col. Cor. N. S. vol. 21, p. 3

Enclosed. Proposals from the whale fishers respecting their removal to Milford Haven, showing the number of vessels they own, their tonnage, number of crew to each vessel, &c. 5

r (?). Secretary of State to Hughes. The King approves of the steps he and Parr took to forward Bowles and his party to London, where they arrived in November last. (Neither signed nor dated.) Col. Cor. N. S. vol. 20, p. 317

1, ll. Estimate for the civil establishment of Nova Scotia, to 1st January 1792. Col. Cor., N. S. vol. 21, p. 481

4, Parr to Secretary of State (Grenville). Has received information of a convention with Spain having been agreed on. 16

4, Same to the same. Sends naval office reports. 17

7, Same to Nepean. Stokes will report the assistance he has received and the civility shown him. 11

8, Unsigned letter, apparently to Brook Watson, on the distress that would be caused in Nova Scotia by the removal of the whale fishery. 320

1791.
January 9, Halifax. Parr to Secretary of State (Grenville). Sends proposals from Holmes, who does not come under the description of Quakers from Nantucket, for removal to Milford Haven to carry on the southern whale fishery. Col. Cor. N. S. vol. 21, p. 12

Enclosed. Proposal by Holmes, showing that he had six vessels of 825 tons, manned by 89 of a crew, most of them from Nantucket. 12

February 5, Halifax. Bulkeley to Dight. Official notice that he (Dight) is to surrender the ground on which his wharf is erected. Enclosed in Brook Watson & Co. to Dundas, 7th February, 1792, which see.

February 21, Lambeth. Archbishop of Canterbury to Secretary of State (Grenville). Sends letters from the Bishop of Nova Scotia and desires an interview concerning them. Col. Cor. N. S. vol. 21, p 304

Enclosed. Bishop of Nova Scotia to the Archbishop of Canterbury (extract). Respecting the appointment of a rector to St. Paul's church, Halifax. 307

February 21, Halifax. Extract from "Act for the establishment of religious public worship" &c.

Bulkeley to Attorney General. To value the ground on which Dight's wharf stands. Enclosed in Brook Watson & Co. to Dundas, 7th February, 1792, which see.

February 21, London. Memorandum for Grenville from Watson, respecting the character &c. of applicants for the office of Attorney General; remarks on the trade to the upper country of Canada and on the whale fishery of Nova Scotia. Col. Cor. N. S. vol. 21, p. 312

Enclosed. P. Foretier, T. Adhemar and M. Blondeau, dated 18th October, 1790, (in French). Remind him that their names were entered on a plan for a charter for exclusive trading to the west beyond the Grand Portage, but this plan had not been carried out. McTavish has gone to London to obtain a charter to the same effect, and they ask that their names may be included among the privileged in any charter that may be granted, as was the case in the plan of 1786; the increasing value of the trade. 316

February 22, London. C. F. Greville to Nepean. Remarks on the policy to be adopted respecting the whale fishers from Nantucket. 311

March 1, Lambeth House. Archbishop of Canterbury to Nepean. Encloses letter from the Bishop of Nova Scotia, dated Halifax, 20th December, 1790. Col. Cor. N. S. vol. 32, p. 66

Enclosed. Bishop of Nova Scotia to Archbishop of Canterbury, 20th December. Wishes that the right of presentation to vacant benefices may be decided in England. 68

March 22, Halifax. Joseph Peters to Samuel Peters, respecting his salary as deputy postmaster. Enclosed in letter by Samuel Peters to Nepean of 23rd May, 1791, which see.

March 24, Halifax. Contingencies of the army. See table of 24th June, 1791.

March —, Cornwallis. Hugh Graham to Dr. Brown. Sketch of the life of Brook Watson; description of the journey up St. John river, &c. B. M. add; 19071, fo. 240

April 3, Halifax. Chief Justice Strange to Bernard (apparently Scrope Bernard, who was under Secretary of State from 1789 to 1792). Sends seven enclosures relative to a judgment lately given in the Supreme Court of Nova Scotia; three respecting the seminary at Windsor. Narrative of the proceedings in the case of Moore & Tyson *v* the Cochrans. The daily proceedings are in chronological order. The statement respecting the seminary at Windsor is in relation to a breach of discipline on the part of a student and to the want of control in the institution. Col. Cor. N. S. vol. 21, p 323

Enclosed. Documents relating to the case of Moore, &c. 331 to 358

1791

(The documents include (1) extract from the instructions on the granting of appeals; (2) address by the Chief Justice on his power to advise in a case brought before the Governor in appeal and on the constitution of the court; (3) note from Parr enclosing memorial from Uniacke, solicitor general; (4) memorial respecting the case of Moore & Tyson *v.* J. & W. Cochran; (5) answer of the Chief Justice to a request from Parr for advice respecting Uniacke's memorial; (6) address by the Chief Justice to the Court of Appeal on Uniacke's memorial and on the judgment of the Supreme Court; (7) reasons for the judgment, &c.)

Correspondence respecting the seminary at Windsor.

Col. Cor. N. S. vol. 21, p. 359 to 365

April 5, Halifax. Bishop of Nova Scotia to Secretary of State (Grenville). Congratulates him on his elevation to the House of Lords. Is thankful that peace with Spain has been secured; had witnessed the horrors of war, which probably makes him more desirous of peace. The academy at Windsor is flourishing; a large amount of material has been collected for the proposed new building. 20

April 9, Whitehall. Secretary of State (Grenville) to Parr. Dispatches received. His conduct in not detaining the Creeks and Cherokees approved of; they arrived in London and have now sailed. There will be no objection to completing the grants of land to the Bishop of Nova Scotia and Lieut. Governor Fanning. 18

May 3. (Copy in Col. Off. N. S. vol. 2, p. 76).

Order-in-Council for granting a charter to the college at Windsor.

Col. Cor. N. S. vol. 32, p. 70

May 11, Halifax. Address by the Chief Justice to the Grand Jury. (The date is simply "Easter Term." Easter day in 1791 was on the 24th April, and the term began 17 days later). Col. Cor. N. S. vol. 21, p. 366

May 23, London. Samuel Peters to Nepean. Applies for payment of balance of salary due to Joseph Peters, deputy postmaster at Halifax. 379

Enclosed. Joseph Peters to Samuel Peters, on the subject of his salary. Halifax, 22nd March, 1791. 380

Joseph Peters to Parr, for payment of postages on official letters, 20th December, 1790. 381

May 23, Halifax. Parr to Peters, that the account would be paid 24th December. 382

Parr to Secretary of State (Grenville). Complains that Cumberland, the agent, has refused to honour bills drawn against the grant for the building of churches. 25

May 25, Halifax. Same to the same. Sends plan of Nova Scotia, with description of new settlements, &c. Several of the refugees have returned to the United States after the issue of provisions was discontinued. 28

May 26, Halifax. Same to Nepean. Respecting plan of Nova Scotia and complaint against Cumberland, as in letters to Grenville of 23rd and 25th May. 29

May 27, Guysborough. James Lodge to Secretary of State (Grenville). Transmits memorial with a plan for transporting convicts to Nova Scotia, being first conveyed to Sable Island as a place of probation, where they should raise their own provisions. A. & W. I. vol. 598

May —. Schedule of papers delivered to Nepean by Richard Gibbons, late Attorney General of Nova Scotia, followed by the papers in relation to his claim for fees on land grants. Col. Cor. N. S. vol. 21, pp. 369 to 378

June 7, Whitehall. Secretary of State (Grenville) to Parr. Dr. Breynton, rector of St. Paul's, having resigned, the Archbishop of Canterbury has selected Mr. Stancer to succeed. As the presentation is in the hands of the parishioners, hopes that they will give effect to the recommendation. 22

(Copy in Col. Off. N. S. vol. 2, p. 77).

June 10, London. Samuel Peters to Nepean. Complains of the delay in the settlement of the salary of Joseph Peters. Begs that an order may be obtained from the Treasury. Col. Cor. N. S. vol. 21, p. 383

1791.
June 15, Halifax. Memorial from the missionaries in Nova Scotia; their distressed condition; entreat for an addition to their salaries.
Col. Cor. N. S. vol. 21, p. 386

June 18, Halifax. Parr to Secretary of State (Grenville). Dispatches received; sends list of the members of Council. 30

June 24, Halifax. *Enclosed.* List. 31

Contingencies of the army:

(A). General account of the contingent expenses of the army in Nova Scotia and dependencies, from 25th June to 24th September, 1790. 477

(B). The same from 25th September to 24th December. 478

(C). The same from 25th September, 1790, to 24th March, 1791. 479

June 28, Halifax. (D). The same from 25th March to 24th June, 1791. 480

Parr to Secretary of State (Grenville). Sends memorial from the inhabitants of Shelburne. 32

Enclosed. Memorial respecting the state of the fisheries and lumber trade, and praying for such relief and encouragement as would promote their prosperity (76 signatures, original). 33

Comparative statement of the cost of lumber shipped at Boston and Shelburne respectively. 43

June 28, Carlton House. George Payne to ——. The Duke of York desires to have an alteration made in the grant to him of gold and silver mines in Nova Scotia, so that the product may be free of deductions for two or three years and that the time should be extended beyond the twenty-one years to which it is restricted. (The grant follows for all mines of gold and silver in that part of Nova Scotia bounded on the west by Margaret's Bay, on the south by the sea, on the east by a line by Bedford Basin to Fort Sackville and by a line from Fort Sackville to Margaret's Bay on the north and north-west. The royalty stipulated was 10 per cent up to £10,000; 20 per cent. for all above £10,000 to £20,000; in addition to the 10 per cent on the £10,000, increased to 75 per cent on large amounts obtained from the working of the mines.
A. & W. I. vol. 538

June 30, Halifax. Bishop of Nova Scotia to Secretary of State (Grenville). Sends plan and elevation of the intended college at Windsor. Remarks on the plan and description, with estimate of the cost &c.
Col. Cor. N. S. vol. 21, p. 44

Enclosed. Plan and elevation. 46

July 1, London. Brook Watson to Dr. Brown. Account of the removal of the Acadians, with which he (Watson) was officially concerned, preceded by a sketch of their early history. B. M. add: 19071, fo. 249

July 7, Halifax. Parr to Secretary of State (Grenville). Sends list of Acts passed during the session from 6th June to 5th July. Col. Cor. N. S. vol. 21, p. 47

List of Acts. 48

July 13, Halifax. Parr to Nepean. By the departure of Dorchester, an opportunity is offered of replacing him (Parr) in his old rank as governor, which would not increase his emoluments, but would add to his dignity. 63

July 13, London. Samuel Peters to the same. The salary of Joseph Peters is still unpaid. 284

July 21, Halifax. Memorial by Dight to Parr for security in the possession of his land, or compensation for surrender. Enclosed in Brook Watson & Co. to Dundas, 7th February, 1792, which see.

August 9, Whitehall. Secretary of State (Dundas) to Parr. Transmits memorial from Thomas Peters, a black, who served with the King's troops in America during the late war, complaining that he and his associates had not received the lands promised them and that those in New Brunswick were in the same position. If so, the complaint is well grounded, and if shown to be correct, the lands in Nova Scotia are at once to be located and in such a situation as to atone for the long delay. Peters has

expressed a desire to accept the plan for the settlement at Sierra Leone and if others have the same desire they will be removed free of expense. Notice is to be given both in Nova Scotia and New Brunswick of the proposed settlement; the manner in which the removal will be effected. Proposal to embody a corps in the West Indies; some of these people may wish to join this corps, on advantageous terms being offered.
Col. Cor. N. S. vol. 21, p. 52

(Copy of letter in Col. Off. N. S. vol. 2, p. 80, also in Col. Cor. N. S. vol. 32, p. 79).

Enclosed. Memorial and petition of Thomas Peters, free negro and late a sergeant in the regiment of guides and pioneers in North America.
Col. Cor. N. S. vol. 21, p. 60

Proposal of the Sierra Leone Company for settlement. 63

1. Samuel Peters to Nepean. Further respecting the unpaid salary of Joseph Peters. 387

2. Watson to Dr. Brown. The question whether in 1755 the Acadians had the option of taking the oath of allegance or of being sent out of the country, should be investigated. B. M. add: 19071, fo. 251

3. Parr to Secretary of State (Dundas). Has received circular that he (Dundas) has been appointed Secretary of State.
Col. Cor. N. S. vol. 21, p. 66

3. Same to the same. Sends memorial, being the last of many more he had received on the same subject. How far may he encourage them, so as to prevent them from going to the United States, of which he is apprehensive? Has heard that 400 or 500 souls have embarked at Greenock for the province. 67

Enclosed. Memorial from inhabitants of Pictou for grants of land. 69

3. Parr to Nepean. Has instituted inquiries as to lands claimed by Bourdon, a French officer. 72

r 9, Hugh Graham to Dr. Brown. Sketch of the character, mode of living
is. &c. of the Acadians. B. M. add: 19071, fo. 246

r 13, Parr to Nepean. Can find no information respecting lands said to belong to Gautier; had Bourdon sent copies of the documents he says he has, they might have been a guide. Col. Cor. N. S. vol. 21, p. 78

r 14. Same to Secretary of State (Dundas). Arrival of Stancer; the parishioners have presented him for induction, which shall take place on the Bishop's return. 71

r 15. Same to Nepean. Respecting Stancer's presentation. Had received note introducing Bishop, the Indian preacher, who is setting out to preach the Gospel to the Micmacs during the winter. Disputes respecting fees. His secretary's advanced age. 73

Enclosed. List of fees. 76

r 24. Memorial of Rev. Andrew Brown, Minister of the Church of Scotland in Halifax, stating his services and applying for an allowance from Government. 397

(The memorial is undated; a recommendation from Parr is attached, dated as in the margin).

r 27. Parr to Secretary of State (Dundas). Arrival of 650 persons at Pictou from Glasgow; they are in a wretched condition and in want of sustenance. Has been obliged to supply them with provisions on his own credit, which he hopes will be repaid. Has advised them to scatter, so as to find employment. Sends a memorial received on their behalf. Is any allowance of land to be made them? 79

Enclosed. Memorial of Simon Fraser, on behalf of the 650 emigrants. 81

r 27. Parr to Secretary of State (Dundas). Has received complaint of Peters and proceedings of the Sierra Leone Company, with directions to collect such free blacks as may be willing to settle there. Peters

1791.

in his complaint has made a misrepresentation, as he (Parr) has always peculiarly attended to the settlement of the blacks. Has directed an inquiry to be made and shall report the result. Has appointed persons to inform the black people of the proposals of the Sierra Leone Company and to collect such as are willing to go and are of good character.

October 11, Halifax. Col. Cor. N. S. vol. 21, p. 8

Dight to Attorney General. He need not issue a writ of ejectment. Enclosed in Brook Watson & Co. to Dundas, 7th February, 1792, which see.

October 17, Halifax. Parr to Secretary of State (Dundas). Has received orders to give Lieut. Clarkson, R. N., a passage by either of the transports with free blacks for Sierra Leone. Col. Cor. N. S. vol. 21, p. 6

October 17, Halifax. Bulkeley to Parr. Reasons for the non-payment of the postage account to Joseph Peters. 20

October 19, Halifax. Parr to Nepean, of same date, forwarded with the immediately preceding letter. 22

Same to Secretary of State (Dundas). Sends returns of the deputy superintendent, Canso, of vessels entered and cleared from 22nd June to 15th August. 27

November 1, Birchtown, Port Shelburne. Memorandum by Alexander Home to Bulkeley, secretary of the province, respecting Gautier's lands claimed by Bourdon. Enclosed in letter of 8th November, which see.

Petition of the blacks of the county of Shelburne to Parr, condemning the action of their countrymen in accepting the proposals of the Sierra Leone Company and praying that they may be allowed a sufficient sum to purchase a cow and two sheep. The cost of transporting so many of their fellow subjects to Africa will put the Government to a vast expense; they trust their humble prayer may be granted.

November 8, Halifax. Col. Cor. N. S. vol. 32, p. 56

Bulkeley to Nepean. Sends letter respecting lands claimed by Bourdon as belonging to Gauthier. Col. Cor. N. S. vol. 21, p. 62

(To the letter, unsigned, is a note by Bulkeley: "The foregoing letter was prepared to be signed by the late Lieut. Governor, which his illness and death prevented." The note is dated the 26th November. Parr died on the 25th, see Bulkeley's letter of that date.)

Enclosed. Memorandum to Bulkeley by Alexander Home, respecting

November 14, Halifax. the property of Gauthier. Col. Cor. N. S. vol. 21, p. 59

Plan of Grant to Dight in Halifax. Enclosed in Brook Watson &

November 19, Digby. Co. to Dundas, 7th February, 1792, which see.

State of provisions sent to Rev. M. Brudenell for the use of the blacks at Digby, in 1784 and 1785. Enclosure marked G in letter of 19th March,

November 20, Halifax. 1792, which see.

Account by Dight of expenses for building a wharf, &c. Enclosed in Brook Watson & Co. to Dundas, 7th February, 1792, which see.

November 21, Halifax. Memorial by Dight of the same date is enclosed in the same letter.

Bulkeley to Secretary of State (Dundas). Wallace, agent for shipping and victualling the black people for Sierra Leone, having applied for £1,000 to meet the expenses, has certified the same to the Treasury.

November 25, Halifax. Col. Cor. N. S. vol. 21, p. 185

Same to the same. Death of Parr this day; has intimated the death to Fanning as senior Lieut. Governor. Shall assume the administration

November 26, Halifax. till his arrival. 91

Same to the same. Sends copies of the Acts and journals of session from 9th June to 5th July. 93

Journal of Legislative Council. 94

December 2, Halifax. Journal of Assembly. 144

Bulkeley to Secretary of State (Dundas). Has received instructions to restrain Governors, &c., from incurring public expenses till His Majesty's

1791. pleasure shall be signified, also order for a collection of the laws authenticated. Col. Cor. N. S. vol. 21, p. 186

mber 21, fax. Notice by the sheriff to proprietors of lands in the county of Halifax to appear for their interest in answer to a writ of partition. 451

mber 29, burgh. Dr. William Robertson (the historian) and Dr. Hugh Blair (Church leader), recommending Dr. Brown, minister of the Church of Scotland in Halifax. 470

mber 31, fax. Return of serviceable muskets. 400

mber —, fax. Stephen Skinner to Secretary of State (Dundas). Sends return as agent for the removal of the free blacks to Sierra Leone. The bad effects on the province of their removal, two-thirds at least being good settlers, 500 good and efficient inhabitants being thus taken from the province. The obstacles to its advance by the enormous grants of land to individuals, contrary to the original intention, the effect of these large grants being to deter people from settling. The depopulation of the country owing to various causes, among others, the liberty granted to Americans to fish on the coast and enter the harbours for bait. 430

(The letter is undated. The return enclosed is for November, 1791),

Enclosed. List of the blacks in Birchtown who gave in their names for Sierra Leone in November, 1791. The list gives the names, business. effects taken with them and property they held. 437

Memorial from "black subjects" of Shelburne, dated Birchtown, Shelburne, 1st November, 1791, representing the infatuated conduct of their brethren in going to Sierra Leone and praying for a share of the assistance promised to Thomas Peters and his associates, which would enable them to live in comfort on their farms. 448

date. Observations on the situation, customs and manners of the ancient Acadians, their removal and the cause, etc., by Moses Deslesderniers. B.M. add.: 19071 fo., 260

1792. uary 5, itehall. Secretary of State (Dundas) to Bulkeley. Dispatch respecting the death of Parr received. Col. Cor. N. S. vol. 21, p. 188

(Copy in Col. off. N.S. vol. 2, p. 85.)

uary 15, itehall. Secretary of State (Dundas) to Bulkeley. To prevent further expense for collecting or transporting negroes from Nova Scotia or New Brunswick; to grant lands to such as are willing to settle and to induce such as are best qualified to enter the corps for the West Indies. The packets not to be detained. Col. Cor. N.S. vol. 21, p. 189

(Copy, dated 13th, in Col. Off. N.S. vol. 2, p. 86).

ruary 3, lifax. Bulkeley to Secretary of State (Dundas). Reports that 1,190 black people from New Brunswick and Nova Scotia were collected in Halifax and sailed on the 15th of January in 15 transports in charge of Clarkson. Sends return of the vessels, &c., certificates have been given to the owners. Col. Cor. N. S. vol. 21, p. 191

Enclosed. Two returns. 194 195

ruary 4, lifax. Bulkeley to Secretary of State (Dundas). Death of Tonge, naval officer; his son appointed till further orders. Sends list of Council. 196

Enclosed. List. 197

ruary 6, lifax. Bulkeley to Secretary of State (Dundas). Sums certified to be due to Wallace, agent for shipping black people to Sierra Leone, namely, hire of transports, £9,592.13.0; estimated cost of victualling, &c., £6,000. 198

ruary 7, ndon. Brook Watson & Co. to the same. Encloses memorial from Dight respecting his land taken for the King's service, and hopes it may have early consideration. 401

Enclosed. Memorial, 20th November, 1791. 402

Plan of the land. 409

Report by Morris, 9th March, 1790, on the grant to Dight. 410

1792.

Parr to Dight, 4th August, 1790. Not to prolong the wharf in front of his house till he shall have further authority.

Col. Cor. N. S. vol. 21 p. 411

Order, 5th February, 1791, that he is to surrender for the King's service the situation on which he has lately erected a wharf. 412

Dight to Parr, 7th February, 1791. That he shall surrender the property on being paid the value. 413

Order to the Attorney General, 21st February, 1791, to ascertain the value of Dight's property to be surrendered. 414

Memorial by Dight to Parr, 22nd July, 1791, respecting his lands. 415

Dight to Attorney General, 11th October, 1791. That there is no necessity to issue a writ of ejectment, as he will give up possession to government. 419

February 9, Halifax. Account of expense for building a wharf, &c. 420

March 10, London. Hartshorne to Thornton. Sailing of the free blacks to Sierra Leone. Enclosed in Thornton's letter of the 11th April, which see.

Memorandum by Chief Justice Strange on the state of the Bar of Nova Scotia and the means of supplying the Bench in case of a vacancy, an estimate being given of the qualifications of those fitted for the office of judge. These are Blowers, Attorney General; Uniacke, Solicitor General, Sterns and Major Barclay. Three young lawyers are deserving of future attention, E. Brenton, Stewart and Hutchinson. Foster Hutchinson, now a master in Chancery, is so well qualified that the only reason he did not recommend him before was his advanced age. He has also an infirmity which would prevent him from going on circuit, but that could be got over by the Chief Justice taking the duty.

March 19, Halifax. Col. Cor. N. S. vol. 21, p. 423

Bulkeley to Secretary of State (Dundas). Sends report of commissioners appointed to investigate the complaint of Peters. All his people had lands granted them, and if Peters had not suddenly left he would probably have had his full share. Death of Arthur Goold on the 29th of February. 200

Enclosed. Report on the complaint of Thomas Peters. 202

March 20, Halifax. Documents A to G, relative to the investigation. 209-218

Bulkeley to Secretary of State (Dundas). Sends copy of charter parties of vessels to convey the black people to Sierra Leone, with list of the transports, tonnage, number on board and hire. The accounts are now under audit. 219

Enclosed. Charter parties. 220-234

(The amount due to each vessel is at the foot of her charter party.)

April 11, London. Return of the tonnage, freight, etc. 235

H. Thornton to Secretary of State (Dundas). Transmits copy of letter from Hartshorne, agent at Halifax for the Sierra Leone Company. 452

Enclosed. Hartshorne to Thornton, 9th February, 1792. Reports the sailing of the free blacks for Sierra Leone in charge of Lieut. Clarkson. 453

April 14, Halifax. Bulkeley to Secretary of State (Dundas). Sends memorial respecting provisions for 650 emigrants arrived at Pictou from Scotland, in destitute circumstances, who were ordered sustenance to prevent them from perishing. The account of the expenses has been audited by the Executive Council. Sends report, account, etc. 236

Enclosed. Memorial of Michael Wallace, for payment of the expenses incurred for provisions to the emigrants at Pictou. The account is attached. 238

Vouchers and bill of lading. 241 to 245

Copy of Parr's letter of 27th September, 1791, see at that date.

Bulkeley to Secretary of State (Dundas). Dispatches received; sends printed copies of the Acts from the beginning to the end of last session. Col. Cor. N. S. vol. 21, p. 251

Same to the same. Sends naval office reports for Halifax and Shelburne, from 1st August, 1791, to 31st March, 1792. 252

Same to the same. Estimates received and handed to Wentworth, who was sworn in yesterday (14th May). 256

Wentworth to King. Sailed from St. Helens' on the 6th April and arrived at Halifax on the 13th May. Has since been much occupied with the business of government. Friendly messages. 253

Same to the Secretary of State (Dundas), Landed on the 13th and was sworn in on the 14th. Public dispatches received by the "Portland," addressed to Bulkeley, who transferred the estimates for the current year. Has not yet had time to learn the state of the province, but shall do so as early as possible. 257

James Finlayson to Robert Hepburn. To urge the payment of salary promised to Dr. Brown, minister of the Church of Scotland in Halifax. 457

Extracts from the Bishop of Nova Scotia's letters of 5th April and 3rd October, 1791, and of date in margin, respecting the college at Windsor. Col. Cor. N. S. vol. 32, p. 88

Wentworth to Secretary of State (Dundas). The legislature convened on the 6th; the efforts to meet the debt and raise the public credit of the province; the difficulties in the way. Transports expected to convey the 16th and 20th to Jamaica, to the regret of the inhabitants. Illegal importation of merchandise by fishermen from the United States, to the detriment of the revenue. Sends report, with depositions, from the Collector of Customs at Shelburne; an armed vessel sent to assist the collector. Tonge has presented mandamus to be appointed naval officer, to which effect shall be given. Col. Cor. N. S. vol. 21, p 259

Enclosed. Bruce, Collector at Shelburne. Reports the illegal trade carried on by fishermen from the United States. 265

Depositions of Roderick Macleod and John McDonald, of robberies by United States fishermen. 267, 270

Wentworth to Capt. George for an armed vessel to protect the coast at Shelburne from attacks by United States fishermen. 271

Same to King. A friendly letter. Tonge's mandamus shall be given effect to as speedily as possible; Putnam is taking as much interest in the work as if he had succeeded to the office; when the mandamuses for the offices to Bulkeley arrive, they shall be obeyed. 273

Sarah, widow of the late Lieut. Governor John Parr, for a pension. A. & W. I. vol. 598.

Wentworth to Secretary of State (Dundas). The legislature met on the 11th of July. Sends list of Acts passed. 280

Enclosed. List of Acts. 282

List of Council. 285.

Wentworth to Fishery (extract) respecting the Excise bill. Enclosed in Fishery's letter of —— September, which see.

Secretary of State (Dundas) to Wentworth. Dispatches received; efforts to restore the public credit approved of. The necessity to transfer troops from Nova Scotia to Jamaica. Trusts the naval assistance will check the illegal proceedings complained of. Col. Cor. N. S. vol. 21, p. 277

(Copy in Col. Off. N. S. vol. 1, p. 87).

Secr tary of State (Dundas) to Wentworth. Sends order-in-Council respecting the charges against the puisne judges. His Majesty sees no ground to censure their conduct. Col. Cor. N. S. vol. 21, p. 279

(Copy in Col. Off. N. S. vol. 2, p. 89.)

1792.
August 10, Whitehall. Nepean to Cumberland. Bulkeley to be paid a moiety of the Lieut. Governor's salary from the date of Wentworth's appointment to the day of his arrival in Nova Scotia. Col. Off. N. S. vol. 2, p. 89

August —, Halifax. Memorial of William Thomson, prothonotary. Represents that his salary has not been voted by the Assembly and prays for relief. Col. Cor. N. S. vol. 21, p. 471

Enclosed. Certificates in his favour by Lieut. Governor Wentworth, Chief Justice Strange and Attorney-General Blowers. 474 to 476

September 12, London. Watson to Secretary of State (Dundas). Owing to the vacancy in the Council, caused by the death of Goold, requests that Binney be restored to his seat in the Council and receive the salary voted to Goold as a member. 456

September 14, Halifax. Wentworth to King. The negroes were sent to Sierra Leone before his arrival, or he could have made a considerable saving. Wishes the philanthropists had been better informed; one-eighth of the expense caused by their removal would have made all the negroes perfectly happy and their labour saved to the province, which feels the want of it, besides the distress caused to the negroes who remain; is afraid many will perish during the winter, as he has no fund to assist them. It is a strange thing for government to spend so much to remove laborious people and will spend nothing to help those who remain. Thinks that a black corps could be raised for the West Indies with little difficulty, as negroes from all parts of the continent are daily arriving, stout enterprising men fit for such a corps. For this business he (Wentworth) must be permitted to select a proper recruiting officer and to embark the men as they are recruited. The departure of the 16th and 20th regiments is greatly lamented, it is hoped that two others will be sent, or a provincial regiment raised. The propriety of granting lands as formerly, as prohibition retards settlement. Will send his ideas of improving the collieries in Cape Breton, which is now almost depopulated. Has received orders to transfer the whale fishery from Nova Scotia to Milford Haven; whatever his own opinion of the policy of the measure, he will carry it out. Folger and Starbuck have sailed, and Holmes will proceed in a vessel of his own to London, taking Slade and Macey and two ship's crews experienced in the whale fishery. The enterprising character of Holmes, how he was persuaded to go. The people of Nova Scotia, having paid £1,500 to settle the whale fishery at Dartmouth, think it hard that these people should be taken away without the money being repaid; how he allayed the dissatisfaction. Has encouraged two active merchants to build a large corn mill; has obtained the first flour, which he baked and distributed in presents. Will have a good road made to Poictou (Pictou), distant about 72 miles. (It is 117 miles by rail). Dartmouth beginning to revive. Col. Cor. N. S. vol. 21, p. 286

(Duplicate in A. & W. I. vol. 598).

September (?) Halifax. Wentworth to the King. Observations on the position &c. of the naval officers in the Colonies. Col. Cor. N. S. vol. 21, p. 298

September (?) London. J Fishery to ——— Sends extract from Wentworth's letter respecting the excise bill and emigrants from Scotland. 459

Enclosed. Wentworth to Fishery (extract). Discusses the value of the excise bill. Extracts respecting emigrants from Scotland. 460

(Fishery's letter is not dated; the letter from Wentworth being dated in July at Halifax, was probably delivered in London in September).

Gazette, 17th July, containing Acts, which are in printed collection.

Lords of Trade, 3rd December, 1762. There is nothing to prevent Nova Scotia from imposing an excise duty on goods from Great Britain. 458

1792.
ber 25, Wentworth to Secretary of State (Dundas). Remarks on the Acts
ifax. passed last session, of which he encloses a list; brief reference to the journal of the Legislative Council; remarks on the journal of Assembly; notes that naval office lists are sent; the prosperity of the province diminished by drought and by a subsequent inundation; the fires that prevailed added to the calamities and the removal of the whale fisheries is regretted, but commerce, cod, salmon and small fisheries have been remarkably productive. Sends plan of road cut from Halifax to Pictou; has encouraged the erection of a large grain mill, so that he hopes before long to stop the exportation of large sums of money to the United States for provisions and to supply Newfoundland and the West Indies. Has had a light shown since September in the light house on McNutt's Island; its value. Discovery of valuable iron ores; on the faith of a grant of 12,000 acres made by Parr, Brook, Watson & Co. have begun operations; recommends that the grant be confirmed. Loyalty, peace and good will prevail in the province. Col. Cor. N. S. vol. 22, p. 6

Enclosed. List of Acts, 6th July, 1792. 33

Journal of the Legislative Council. 38

Journal of the Legislative Assembly. 124

ober 26, Wentworth to Secretary of State (Dundas). Has received order-in-
ifax. Council that the King sees no ground of censure in the case of the puisne judges, complained of by the Assembly; has communicated the order; gratitude of the judges. 177

ember 23, Wentworth to Secretary of State (Dundas). Transmits letters from
ifax. several members of Council respecting Daniel Wood, late prothonotary of the Supreme Court and clerk of the Crown for the province. Col. Cor. N. S. vol. 32, p. 90

Enclosed. T. A. Strange and other members of Council to Wentworth. Recommend the case of Daniel Wood for relief. 91

The commission of Daniel Wood to be clerk of the Crown for the province of Nova Scotia, dated 12th July, 1781. 95

Certificate of the judges of the Supreme Court in favour of Daniel Wood, dated 10th July, 1787. 97

William Thomson appointed prothonotary in place of Daniel Wood, 11th September. 93

ember 29, George Smith to Nepean. Reminds him of the memorial presented in
ifax. March, 1784, and applies for the office of ordnance store keeper and barrack master, vacant by the death of Morden. Col. Cor. N. S. vol. 22, p. 465

Enclosed. Certificate in favour of George Smith, by members of the Council of Nova Scotia, 18th September, 1783. 467

ember 29, Chief Justice Strange to King. Recommends the case of Binney and
ifax. Wood, of which he gives particulars. Has heard from Osgoode, in Upper Canada, his good opinion of Simcoe. A. & W. I. vol. 598

ember 1, Wentworth to the same. Again recommends the cases of Binney for
ifax. office and of Dr. Brown for a salary. A. & W. I. vol. 598

ember 1, J. Halliburton to Nepean. Writes in favour of Wood, who has been
ifax. suspended as prothonotary by Thomson. Col. Cor. N. S. vol. 32, p. 99

ember 3, Application of John Lawson for the situation of barrack master.
ifax. Col. Cor. N. S. vol. 21, p. 472

Enclosed. Certificates of his good character. 474, 475

ember 5, Chief Justice Strange to Nepean. Recommends Brenton for the office
ifax. of Judge Advocate. Col. Cor. N. S. vol. 22, p. 468

mber 12, Secretary of State (Dundas) to Wentworth. To report on the prac-
itehall. ticability and propriety of a settlement in Nova Scotia of emigrants from France, who might seek an asylum there, with the probable expense. Col. Cor. N. S. vol. 21, p. 302

(Copy in Col. Off. N. S. vol. 2, p. 90.)

1792.
December 12, Halifax. Wentworth to Secretary of State (Dundas). It is desirable to
man of professional knowledge as judge advocate; recommends
ton for the office. Col. Cor. N. S. vol. 22.

December 12, Halifax. Same to the same. Encloses letter from Capt. George, R. N.
letter from the contractor for provisions for the navy, requesting
licence to import 10,000 gallons of molasses from the United States
no power to grant the request; submits the case for consideration

Enclosed. Letter from Capt. George.
Letter from Belcher, agent for the contractor.

December 13, Halifax. Wentworth to Nepean. Regrets that owing to his (Nepean's)
when he (Wentworth) left, he could not make his personal acquaintance
The good qualities of Ideson; the little probability of his employment
a lawyer for reasons given. The loyalty of the Province. The
the removal of the black people of a labouring class and of the supply
small provisions and vegetables brought to market. The loss
the removal of the whale fishing, which it cost the province £1,
establish, for which they are now paying taxes. The suffering
drought followed by floods; the steps taken to relieve the distress
people striving to remedy the evils rather than complain; the ruin
bridges that were destroyed are now repaired by the counties.
mends the addition of molasses to the list of articles that might
mitted from any foreign port. The result would be to reduce the
of living and to increase the revenue.

December 13, Halifax. Same to King (private). Information respecting the collie
Cape Breton. A. & W. I.

December 14, Halifax. Same to the same (secret). Hopes for the arrival of the char
the college, with the power of granting degrees. Brenton, who
this letter, is soliciting the appointment of judge advocate for Ann
recommends the appointment as a saving of expense and that the
will be more efficient than now. His (Wentworth's) official dis
show his success in respect to the road to Poictou (Pictou), the
house near Shelburne and the public finances. The people all
humour. A. & W. I.

December 22, Lambeth. Archbishop of Canterbury to————. Sends extracts to sh
probable cost for building the college at Windsor, Nova Scotia
want of a church at St. John's Newfoundland.
Col. Cor. N. S. vol. 21.

1793.
January 2, Whitehall. Secretary of State (Dundas) to Wentworth. One of the regim
Nova Scotia to be sent to Barbados for the protection of the L
Islands; a regiment in New Brunswick to be moved to Nova
The question of raising a provincial corps is under consideration
regret that the Assembly has not voted the salary to Thompso
thonotary and clerk of the Crown. Col. Cor. N. S. vol.
(Copy in Col. Off. N. S. vol. 2, p. 91.)
Secretary of State (Dundas) to Ogilvie. The transfer of troop
letter to Wentworth. Col. Cor. N. S. vol.
(Copy in Col. Off. N. S. vol. 2, p. 93.)

January 7, London. Petition of Wood. Thomson's appointment to the office of
the Crown was obtained under a belief that the place was vacant.
to be reinstated. Col. Cor. N. S. vol. 32.

February 5, Whitehall. Secretary of State (Dundas) to Ogilvie. Another regiment to
from Nova Scotia to Barbados, besides the one ordered on 2nd Ja
Col. Cor. N. S. vol. 22.
(Copy in Col. Off. N. S. vol. 2, p. 94.)

February 8, Whitehall. Secretary of State (Dundas) to Wentworth. To raise a corps i
Scotia of 600 men, divided into six companies, properly officered,
he (Wentworth) is to command with the provincial rank of

the other officers to have rank in the army,
be merely provincial. If the whole cannot be
smaller number to be appointed, selected from
dent in the province. Beverly Robinson to be
uis Kearney to be Major; the other officers to
Regulations respecting pay, &c.; concerning
corps. Orders sent to Ogilvie for the transfer of
Barbados. Economy to be observed in the payment
ow it is proposed to subsist the corps.
Col. Cor. N. S. vol. 22, p. 196

N. S. vol. 2, p. 94.)
(Dundas) to Ogilvie. An attack to be made on the
and Miquelon; the navy to co-operate.
Col. Cor. N. S. vol. 22, p. 206

rth. As Lieut. Colonel Beverly Robinson, appointed
he corps to be raised in Nova Scotia, lives in New
to take that rank in the corps to be raised there.
ppointed to the New Brunswick corps, is to be appointed
oneley in the Nova Scotia corps. 208

. Off. N. S. vol. 2, p. 100.)
tworth. Transmits minutes of the committee of Council
tive to the importation of molasses from the United States.
Col. Off. N. S. vol. 2, p. 101

of State (Dundas) to Buckley (Bulkeley). Sends copy of
the commissioners of the navy in regard to the expense for
rtation of 1,190 negroes to Sierra Leone. The excessive cost
explanation to justify the accounts transmitted. 101

to Secretary of State (Dundas). Part of the 21st regiment
for Barbados; the rest delayed for want of tonnage.
Col. Cor. N. S. vol. 22, p. 211

odore George to Stephen. Encloses the state and condition
Majesty's ships "Hussar" and "Winchelsea" and copy of letter
gilvie. Col. Cor. N. S. vol. 32, p. 103

tworth to King. Recommends a reduction on the duty on coal
Cape Breton; how the duty had formerly been expended. In
et to provisions for the troops, only flour can be depended on from
province; it can be delivered from the new mill of Hartshorne
emain as cheap as it can be done by foreign purchases. The unity
harmony of the general assembly; hopes the loyal address of both
ses will be taken notice of as received and approved. The good
fluence on the people of such addresses. Has written officially res-
cting French emigrants proposed to be sent to the province; should
ot prefer many priests, unless they consent to work and get children
s well as pray. Hopes to have orders to raise the provincial regiment.
Is Government serious in proposing to send French emigrants to Canada?
A. & W. I. vol. 598

Same to Secretary of State (Dundas). Reports that 2,000 French emigrants may be advantageously settled in the province; how their present subsistence may be provided for and assistance given towards building houses, supplying tools, &c., advantages of the plan he proposes. How he would settle the emigrants according to their previous habits and employments. Offers his services for the settlement.
Col. Cor. N. S. vol. 22, p. 216

(Copy in same volumn, dated 29th p. 246.)
Same to the same. Has taken measures of defence as ordered. 214

Same to the same. Has taken measures to obtain a complete state of the militia, which he hopes to send next mail. The services of Capt.

1793.

Straton, R. E. Is taking preparatory steps towards calling out th
ternal force; has no doubt 8,000 men can be raised.
Col. Cor. N. S. vol. 22, p

March 22, Halifax. Wentworth to Secretary of State (Dundas). Has received dispa
ordering exchange of regiments. Thanks for acknowledgment o
posal to raise a provincial force. Regrets that the last Assembl
refused to vote Thompson's salary; hopes the present House m
induced to do so.

March 22, Halifax. Same to the same. Has received copy of the King's speech and a
in reply.

March 22, Halifax. Same to the same. The province has beentranquil since his last r
The Assembly was dissolved and a new one called, which met on th
The elections were conducted with moderation and good order.
Assembly appears to be disposed to conduct business with moder
dispatch and liberality. Sends copies of his speech and addres
reply and of an address to His Majesty.
The Governor's speech and addresses are extracted from the jou
which see.

March 22, Halifax. Wentworth to Secretary of State (Dundas). There are two vac
in the Council; nominates James DeLancey of Annapolis Royal,
Butler Butler of Halifax and Thomas Barclay of Annapolis, as fi
sons for the Council.

March 23, Halifax. Strange to King. Dr. Brown is satisfied with what has been do
him. Congratulates him on the address from the Council and Ass
moved for and drawn by Michael Wallace, merchant. Presumes i
not but be well received. A duplicate follows. A. & W. I. vo

March 23, Halifax. Wentworth to the same. Forgot to mention that he had recomm
three persons for the two vacancies in the Council. Asks that th
first mentioned may be appointed as the third is very useful as sp
of the Assembly. A. & W. I. vo

March 30, Halifax. Memorial by Thompson, prothonotary, &c., for payment of his s
Enclosed in letter from the Lord Advocate, of 8th June, which s

April 22, Halifax. Ogilvie to Wentworth. Shall order bedding for recruits. Enc
in Wentworth's of 2nd May, which see.

April 24, Halifax. Wentworth to Francklin. To supply recruits with provisions.
closed in Wentworth's of 2nd May, which see.

April 25, "Hussar," Halifax. Commodore George to Stephen. Has received orders from the
missioners, dated the 8th and 9th February. H. M. schooner "Dilig
is now in port and the "Chatham" with a detachment from the I
of St. John is hourly expected. These schooners in time of war
totally useless; Commissioner Duncan is of the same opinion.
Col. Cor. N. S. vol. 32, p

April 26, Halifax. Francklin to Wentworth. Cannot supply the provisions asked
Enclosed in Wentworth's letter of 2nd May, which see.

April 27, Whitehall. Secretary of State (Dundas) to the same. The provisions fir
public debt and other objects of public utility and the harmony that
vails among the different branches of the legislature are satisfactor
His Majesty. The present time is unfavourable for the proposed ch
of the boundaries between Nova Scotia and New Brunswick. Req
of the Assembly for leave to import tobacco and naval stores
America and to have ports of entry at Annapolis and Poictou ar
ferred to the committee of the Council on trade. The Master Gene
the Ordnance has been informed of the deficiency of arms and acco
ments for the militia. Brenton appointed Judge Advocate at A
polis. In reference to the request that molasses may be allowed t
imported from the United States, calls attention to a clause in the
allowing the importation of specified articles in case of emergency.
steps can be taken at present with respect to French emigrants.

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account of the internal force is satisfactory. Is sorry that there is a deficiency of arms, &c. for the militia, but an order for a supply was sent with the instructions to raise the regiment. His Majesty's gracious acceptance of the loyal address from the Council and Assembly. Vacancies in the Council filled up. The proposal for supplying flour to the troops referred to the Treasury. Col. Off. N. S. vol. 2, p. 102

il 28, ifax. Strange to Cumberland. Meeting of the legislature; election of Barclay to be speaker in room of Uniacke, who declined re-election to the Assembly. Arrangements for the payment of the principal and interest of the debt; reductions of salaries for the sake of economy, including the "wages" of the speaker and members. The harmony among the different branches of the legislature. He (Cumberland) is no longer to act as agent for the province; encloses minutes, &c. on the subject. Col. Cor. N. S. vol. 22, p. 471

Enclosed. Minute of Assembly, 24th April, embodying cases of neglect on the part of Cumberland, resolutions that the affairs of the province require an agent constantly resident in London and appointing Philip Sansom to be agent in Cumberland's place. 475

Minute of Council (not dated) that before carrying into effect the resolution of Assembly in the case of Cumberland, he should first be communicated with; cannot, therefore, for the present concur in the resolution. 478

Minutes by Council of the conference with the Assembly in the case of Cumberland; resolved not to concur in the Assembly's resolutions. 480

; 29, ifax. Strange to King. Sends copy of a letter and enclosures to Cumberland; the subject gives him pain; would be pleased if Cumberland could reinstate himself in the good feeling of his constituents. Report of the difficulty of manning the fleet causes a damp. A. & W. I. vol. 598

il 29, ifax. Ogilvie to Secretary of State (Dundas). The causes of the delay in the embarkation of the 21st reported; it embarked on the 25th and sailed on the 27th for Barbados. The delay in the arrival of troops from New Brunswick for the West Indies; shall hire transports as fast as vessels arrive. Col. Cor. N. S. vol. 22, p. 257

(See also Col. Cor. N. S. vol. 32, p. 107).

il 30, ifax. Wentworth to the same. Declaration of war by the persons exercising the supreme authority in France received and communicated to the Assembly, with the information that he had been ordered to raise a regiment for provincial defence; sends the addresses on these subjects. Has published His Majesty's commands throughout the province; the attachment of the population to His Majesty's service, &c. Col. Cor. N. S. vol. 22, p. 260

Enclosed. Address of the Council. 263

Address of the Assembly. 265

(Duplicates at pp. 289 and 291).

y 2, ifax. Wentworth to Secretary of State (Dundas). In obedience to command had given orders to raise a corps of 600 men; from the spirit shown, expects it to be completed in a few months; will use economy but cannot raise men on a bounty of two guineas, as the 60th is giving three and a half to four guineas; he has given two and a half, which he will try not to exceed; the measures he is taking to subsist the force. Major Barclay's gratitude; he proposes to raise a regiment of volunteer militia to be commanded by half pay officers, composed of men who have served, but who having farms and families cannot enlist in the regiment now raising. The volunteers to be 1,000 strong and employed in defence of the province where most wanted. Recommends Major Samuel Vietch Bayard to be Lieut. Colonel of the regiment now raising, instead of Barclay, who has asked leave to resign. Offers by various officers to

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serve, drawing their half pay only; how the officers may be ap
Recommends that the corps be called "The King's Nova Scot
ment." Col. Cor. N. S. vol. 2

Enclosed. Ogilvie to Wentworth, 22nd April. He has give
to furnish recruits with barrack bedding, &c.

Wentworth to Francklin, 24th April. To supply the recruits
visions.

Francklin to Wentworth, 26th April. The contract for supply
visions to the troops having expired, he is unable to supply the
for.

May 2, Halifax. Ogilvie to Secretary of State (Dundas). Shall lose no time
ing into effect His Majesty's command sent in letter of 15th
[to attack St. Pierre and Miquelon].

May 3, Halifax. Wentworth to King. Thanks for the recommendation of a
has 86 men in the barracks and as many more with parti
country; without them the expedition must have been delay
days. Has now convinced the Indians, who had been for s
neuter (neutral), "that God Almighty begins to see what the
are about" and to a man they will fight for King George. Has
to have his regiment called "Royal"; there is no cost in it,
gives the colours and the facings are blue in that case. G
(Ogilvie) is so timid and bound up to specific orders, that he
everything of responsibility, rendering the service dilatory and
to a dangerous degree. About Charles (his son?). Are the fie
of the regiment to have companies and six captains besides?
A. & W. I.

May 3, Halifax. Same to Secretary of State (Dundas). The Assembly proro
the 27th April. Arrangements for meeting the debt; all expe
down 20 to 25 per cent, including the salaries of the mem
speaker; the debt reduced by ten per cent. The sufferings of th
from the deterioration of their hunting grounds and the mild
many of them must parish next winter without some aid; a
exceeding £200 would save them; has succeeded in getting
settle and cultivate land; sixty to a hundred men could be
troops and would be a great service. Volunteers offering to th
war for the expedition to St. Pierre and Miquelon; accoun
garrison there; arrival of French frigate &c.
Col. Cor. N. S. vol. 2

May 3, Halifax. Same to the same. Has received 33 French prisoners, capt
the "Alligator" on her passage to Halifax; has drawn for the
tence.

May 4, "Alligator." Agreement between Ogilvie and Affleck respecting captures.
in Ogilvie's letter of 20th December, 1794, which see.

May 14, Halifax. Mrs. Cottman to Mrs. Barwell. She is about to apply for
tinuance to herself of the pension granted to her late moth
closed in Barwell's letter of the 12th January, 1794, which se
petition dated 28th is in same letter.

May 15, Halifax. Bulkeley to Secretary of State (Dundas). Sends answer by t
for the hire of transports respecting expenses incurred for the
tation of 1,190 black persons from Nova Scotia to Sierra Leon
remarks. Col. Cor. N. S. vol. 2

Enclosed. Explanation by Michael Wallace, agent.

May 16, London. Memorial of John Butler Butler, Alexander Leckie, Elisha La
James Glenie and Alexander Reid, proprietors of lands in Nov
and New Brunswick, in opposition to the orders to raise a fenci
in each of these Provinces.

May 18, St. Pierre. Ogilvie to Secretary of State (Dundas). Surrender of the
St. Pierre and Miquelon on the 14th. Account of the proceedi

summons; the surrender by Danville at discretion, on being refused terms of capitulation. The number of the garrison &c.; preparations for defence; the good conduct of the troops under his command.
Col. Cor. N. S. vol. 22, p. 303

Enclosed. Return of ordnance and military stores taken. 307

Ogilvie to Secretary of State (Dundas). Return of population on the two islands: 120 troops and officers of Government; 450 fishermen; 950 inhabitants; total, 1,520. Troops and fishermen sent to Halifax; the inhabitants allowed to remain till the King's pleasure be known. The unfortunate state of the inhabitants; rations issued. Had orders been given to remove the inhabitants, it could not have been done for want of vessels. Shall leave a garrison of 100 men under Major Thorne; the disposal of the other troops. The private property of the inhabitants has been fully secured to them; merchandise belonging to persons residing in France has been put in charge of a commissary. Description of St. Pierre; the inhabitants chiefly Canadians and Acadians, quiet and inoffensive, although the demon of liberty and equality had reached that remote and barren spot. Recommends batt and forage for the officers. 310

(Extract in Col. Cor. N. S. vol. 32, p. 109.)

Wentworth to King. Has now 350 men raised, 260 of them in town; could only get a few at two and a-half guineas; believes he will soon be able to show a fine regiment. Hopes he has found a president or provost for the college and that the charter will soon be sent. General Ogilvie is expected to return with three companies, a small command for a complete staff. His (Wentworth's) regiment not yet announced to Ogilvie. Hears that the New Brunswick regiment has not 90 men. A sea-cow has been killed by an Acadian; its calf preserved and sent to the King. Respecting clothing for his regiment. Alarming report that the packets are to be discontinued. A. &. W. I. vol. 598

Same to Secretary of State (Dundas). Sends copy of letter from Ogilvie, reporting the capture of St. Pierre and Miquelon; he has sent 500 French prisoners to Halifax and has asked for an opinion as to settling some of the inhabitants in the province and on Cape Breton; sends copy of answer. Shall provide for the prisoners with the greatest economy, but the price of provisions has risen 60 to 100 per cent since the war. Col. Cor. N. S. vol. 22, p. 315

Enclosed. Ogilvie to Wentworth, 20th May. The capture of St. Pierre and Miquelon; has sent 500 prisoners, the greater part of whom are fishermen from France, called wintermen. Asks his opinion as to the settlement of some of the inhabitants in Nova Scotia or Cape Breton. Equality and caps of liberty have made great progress on the island. 317

Answer by Wentworth, 28th May. He will make the best arrangements possible for the prisoners; it would be inexpedient to settle any of the inhabitants on Cape Breton; a few might be settled in Nova Scotia. 319

Wentworth to Secretary of State (Dundas). It is reported that some men of his regiment had been embarked for the expedition to St. Pierre but landed, men having been impressed. Sends offers made to subsist the regiment; can do it more cheaply himself. His recruits now number 300; of these 260 are in garrison, the others on recruiting service or on their way to join. Has been obliged to increase the levy money. 321

Enclosed. Offer by Michael Wallace to subsist the regiment. 324

A similar offer from Brymer and Belcher. 325

(Both are dated 18th May.)

Commodore George to Stephens (extract). The "Winchelsea" sailed on the 27th, the "Hussar" on the 29th and the "Alligator" on the 30th

1793. April. Capt. Affleck sailed on the 8th instant with Ogilvie and the detachment of the army for St. Pierre. Col. Cor. N. S. vol. 32, p. 111

June 2. Memoranda respecting the regiments sent from Nova Scotia and New Brunswick to Barbados. 114

June 3, Halifax. Binney to King. Has delivered the letter, but the authority for him to resume his seat in Council and the appointment of Barrack Master for his son have not yet been received; believes his seat in Council should be given without a new mandamus, as he was only suspended till the report of Lord Dorchester, which acquits him, was received. A. & W. I. vol. 598

June 4, Halifax. Wentworth to Secretary of State (Dundas). Dispatches received. The militia forming with great zeal. The town regiment is nearly 600 strong, completely armed, with a company of artillery 56 strong; they will assemble at fifteen minutes warning and are well officered. The regiment forming under Delancey and Barclay engages to defend the coast on St. Mary's, Annapolis and the Bay of Fundy, and to hasten to any other part of the coast that may be invaded; the other regiments of militia are forming as fast as possible. Arms &c., issued by order of the Ordnance. There will be more in store than are required for New Brunswick. Capt. George sailed on the 31st May in the "Hussar" to protect the coast. Appearance of a large top-sail sloop off the coast has given rise to apprehensions on the part of the merchants; there is not a vessel that can be sent to examine. An armed schooner will be repaired and anchor in the entrance of the harbour, but both schooners are useless for war, or to suppress smuggling. Arrival of an American schooner at Lunenburg while the people were at church; landed four men who examined the guns and the roads; the harbour was sounded and the vessel then sailed; arms sent and militia watching. Would have gone himself but could not for want of a conveyance; the necessity of having an armed vessel for the defence of the coast; one of 140 tons with eight six-pounders, with eleven of a crew including officers; he could always get 40 to 60 volunteers from the regiment now raising, of men used to the sea; the services such a vessel could render. Recapitulates the contents of letters which had not been received by Dundas. Estimate for the civil establishment received. Death of Mrs. Howe; her daughter, Mrs. Cottnam, requests that the pension be continued to her. Sailing of the packet delayed for the convenience of merchants. Col. Cor. N. S. vol. 22, p. 329

Enclosed. Petition of Deborah Cottnam, widow, daughter of the late Edward Howe. 335

June 8, Edinburgh. Robert Dundas, of Arniston, Lord Advocate of Scotland, to King. Sends letters to be submitted to Secretary of State, that the Assembly of Nova Scotia has refused to do Thomson justice. A. & W. I. vol. 598

Enclosed. James Hume to the Lord Advocate. The Assembly of Nova Scotia has refused to vote a salary to Thomson, prothonotary and clerk of the Crown, on the ground that he was appointed by warrant distinct from the provincial officers. Asks that his name and salary should be inserted in the estimate for this year.

Memorial of Thomson for the payment of his salary.

June 20, Halifax. Wentworth to Secretary of State (Dundas), praying to be created a baronet. Col. Cor. N. S. vol. 32, p. 116

(Duplicate in A. & W. I. vol. 598).

June 20, Halifax. Wentworth to Secretary of State (Dundas). Additional urgent reasons for having an armed vessel on the coast; the disorderly conduct of American fishermen, who refuse to obey the laws and interrupt settlers in their fishing; by throwing offal overboard they destroy the fisheries; there is no armed vessel to keep order. When the fleet sails for the West Indies with the two regiments, the harbour and all the

1793. coasts will be left open; with the vessel he proposes these could be defended. Col. Cor. N. S. vol. 22, p. 351

e 21, ifax. Wentworth to King. Has completed the King's Nova Scotia regiment; if there should be occasion to increase the number to 2,000, has no doubt of being able to find them. The necessity of having an armed schooner for the service of the province; can buy a vessel in the United States and have her fitted up in the careening yard; cannon and stores are lying useless. Has applied for a baronetage. Commodore George arrived; General Ogilvie and Capt. Affleck hourly expected; the 6th regiment expected to join the convoy for Barbados. Hopes the charter for the college and propositions for exhibitions for students will soon be completed. When the troops embark he shall have 60 miles of a road to Cobequid cleared and bridged and the Shubenacadie made navigable; the advantages of these works from a commercial and military point of view. The next object will be to secure a supply of fuel at a proper price, which may result from right management of the coal mines at Cape Breton. A. & W. I. vol. 598

e 21, ifax. Same to the same. Arrival of Ogilvie from St. Peter; the transports with troops still coming in; the 6th regiment from New Brunswick, with the 65th, will be dispatched without loss of time to the West Indies, leaving three companies of the 4th and the King's Nova Scotia regiment, but no armed vessel, for which he is anxious. The difficulties of procuring subsistence for his regiment, Ogilvie having no official instructions respecting it. Had received the offer of a company from Boston, but cannot venture to encourage it. It is possible men may come from many parts of New England, as numbers wish to join their old Governor. The zeal and energy of Commodore George. The judge of Admiralty has received instructions for granting letters of marque, but he (Wentworth) has received no authority to issue commissions, which renders the instructions useless. A. & W. I. vol. 598

e 21, ifax. Ogilvie to Secretary of State (Dundas). Embarked the detachments at St. Pierre and 607 French prisoners; three of the transports have arrived, the other three hourly expected. Has provided for the security and subsistence of the prisoners until he shall receive orders as to their disposal. The commandant and a lieutenant are the only officers of St. Pierre who are here; the rest having large families, are left on parole. An oath of neutrality was taken from the inhabitants; provisions issued to about 900. The troops left at St. Pierre number about 160, not too strong a garrison. Col. Cor. N. S. vol. 22, p. 354

y 3, don. Panton to Randall. Memorandum of his claim and services. Col. Cor. N. S. vol. 32, p. 117

y 4, don. Same to Nepean. Gives reasons which he considers entitle him to an annuity from Government. 119

y 4, don. Morice to the same. Encloses extracts respecting Panton to show his connection with the Society for the Propagation of the Gospel. 121

Extracts. 123

Certificate to Panton. 125

y 5, itehall. Secretary of State (Dundas) to Wentworth Bayard being junior to Kearney, it would be contrary to the rules of the service to appoint him over Kearney's head; Kearney, therefore, to be lieut. colonel of the regiment and Bayard to be major. If officers on half-pay cannot be obtained for the regiment he may select others, to have no claim to half-pay or rank in the army when the corps is reduced. Hopes the Indians may be induced to settle and cultivate the land; he may expend £200 on their behalf. To admit people from St. Pierre and Miquelon only with extreme caution into the North American governments; the prisoners to be sent to Europe. Is authorized during hostilities to obtain a schooner for the service of the province. The speedy manner

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in which the militia was embodied does great credit to the officers and to the province in general. Commends the conduct of the Assembly in the provision made for discharging the public debt.
Col. Cor. N. S. vol. 22, p. 342

(The date is doubtful; in the copy Col. Off. N. S. vol. 2, p. 108, the letter is dated the 6th.)

July 6, Whitehall. Secretary of State (Dundas) to Ogilvie. The King's satisfaction with the execution of the order for the capture of St. Pierre and Miquelon and with the measures taken for the protection of property. The application for batt and forage has been sent to Amherst. As it is impossible to ascertain how far the destructive principles of the present Government of France may have prevailed in St. Pierre and Miquelon, no encouragement, except with the most extreme caution, should be given to any of the inhabitants to settle in any of the dominions in America.
Col. Cor. N. S. vol. 22, p. 338

(The copy in Col. Off. N.S. vol. 2, p. 104, is dated 5th.)

July 6, London. Panton to Secretary of State (Dundas). States the great expense which attended his position at Shelburne. Col. Cor. N. S. vol. 32, p. 127
Duplicate of memorandum of his claim, dated 3rd July.
Parr's certificate, dated 2nd August, 1787. 129

July 6, Whitehall. Secretary of State (Dundas) to Wentworth. The King has the most perfect reliance on the loyalty of the regiment now raising, but cannot grant the distinction asked for, as that would give too much room for other applications of like nature. Col. Cor. N. S. vol. 22, p. 342

(Copy in Col. Off. N. S. vol. 2, p. 111.)

July 6, Halifax. Bishop of Nova Scotia to Mr. C. (Cooke). Reports the arrival of two men, Archdeacon and Gregory, Jacobins, who declared their readiness to assist in serving the King as the French King was served.
Col. Cor. N. S. vol. 22, p. 621

(See also letters of 7th October and 9th December.)

July 8, Halifax. Receipt for bills to the amount of £635 sterling for provisions furnished by John Butler Butler; the account, precedes the receipt. 512, 513

July 9, Halifax. Return of provisions and fuel issued to the King's Nova Scotia regiment from 17th April to date in the margin. 514

July 10, Halifax. Wentworth to King. Has sent him two bear hams; will look after Robinson of the 4th regiment. The King's Nova Scotia regiment will soon be complete but it has received no countenance from the Brigadier General, so that he has been obliged to purchase provisions, bedding and other necessaries; sends accounts, for which he has drawn on the Treasury. When the regiment is mustered, regular accounts shall be sent. Has purchased on advantageous terms the cloth for great coats from the 21st regiment, when it embarked for the West Indies. As he supposed it to be Amherst's, his (King's) and Dundas's wish that Bayard should be appointed Lieut. Colonel of the Nova Scotia regiment, in preference to his senior, although the latter was in every respect qualified, he had appointed him. Remarks on the qualifications of the officers he had selected for captains, namely, Howe, Moody and Aldridge; Tonge has been appointed adjutant. There being no half pay quarter master, has appointed Allan, who served last war. He himself will derive no personal advantage from the appointments, but has selected the best men; further remarks on the regiment and its efficiency. The militia being arranged; the Halifax regiment of 630 is training twice a week, one company is clothed at the expense of the men, as is also the company of artillery; the others are neat, clean and comfortably clad and ready at five minutes alarm to join His Majesty's troops completely armed; their thoroughly good conduct. The militia, infantry, cavalry and artillery number 1,000 rank and file, are distributed in different towns, provided with horses to carry them with celerity to any part of the

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province; they are commanded by officers carefully selected and their loyalty and usefulness may be safely relied on; the other regiments are as well diposed. How he has treated the Acadians, so that their old wounds are healed and they are pefectly satisfied; they have offered a regiment of 400 men to be commanded by half pay officers. Hopes that General O. (Ogilvie) will soon receive official information on the subject of the militia &c. The civil business continues in the greatest harmony and the people are contented. The increased value of the public stock, which from 30 to 40 per cent discount has risen to par. Remarks on the different sources of revenue and explanation of the clause to prevent abuse of the right to import free of duty for military purposes; The resistance by the General to any regulations; the mischievous effects likely to follow. Is not making this an official representation of the conduct of Ogilvie, as he has hopes of being able to accommodate the dispute. The bad policy of the military power trying to override the law.

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ly 12, ndon. Morice to King. Besides the papers sent, he will attend Dundas to give further information. Col. Cor. N. S. vol. 22, p. 486

Enclosed. Memorial from Rev. George Panton stating his sevices to the disbanded troops and loyalists and praying for the regular allowance, so as to reimburse him for part of his expenses. 487

Memorandum of Panton's case. 488

ly 12, ndon. Morice to Nepean. The Society for the Propagation of the Gospel will not meet until September. Why a certificate was granted to Panton in 1786. 491

ly 15, hitehall. King to Wentworth. Transmits copy of minute of the committee of Council on the importation of naval stores and the establishing of new ports in Nova Scotia. Col. Off. N. S. vol. 2, p. 106

ly 16, lifax. Bishop of Nova Scotia to Secretary of State. Sends copy of sermon preached before the legislature. Progress of the seminary at Windsor; students attending from all the provinces; want of one or two additional professors and a charter, so that degrees may be conferred. Materials provided for the building, which is retarded for want of a proper workman; respecting exhibitions and scholarships for students. The dissatisfaction at the removal of the blacks to Sierra Leone and of the whale fishery to Milford Haven, both of which have checked the progress of the country. The advantages of the colony; nothing is wanting to make it flourishing but good principles and well directed industry, the first will be promoted by the seminary and the churches lately built, the other has been assisted by a society for promoting agriculture, instituted in 1789. With the £3,000 granted for building churches, nine have been built and finished; the shells of two previously built have been completed, five other new churches, some now in forwardness, will also be finished. When the whole is expended, he shall send the accounts.

Col. Cor. N. S. vol. 22, p. 495

ly 17, hitehall. Secretary of State (Dundas) to Wentworth. Sends order confirming Act passed on 11th July, 1792, for limiting the duration of the General Assembly. Col. Off. N.S. vol. 2, p. 107

ly 19. hitehall. Same to Ogilvie. Letter of 21st June received. The return of the fleet from Newfoundland will afford an opportunity to ship the St. Pierre prisoners to Europe, including those left on the islands. Is glad to find that the provincial corps is nearly completed; he is to contribute to make it fit for service. Col. Cor. N.S. vol. 21, p. 357

(Copy in Col. Off. vol. 2, p. 112.)

ly 23, lmouth. Pender to King. Death, three days after leaving Halifax, of the sea cow sent to the King. A. & W. 1 vol. 598

ly 23, lifax. Wentworth to the same Has been ill. The people are quiet and orderly, but if they see legislative authority superseded by military

July 23, Halifax. Same to the same. On the arrival of His Majesty's f
was given and the provincial regiment assembled in fifte
fore Government House. The arrangement for the mi
to threatened points; in twenty minutes he can have 90
to defend Halifax, reinforced in two hours by 600 me
battalion, followed by 1,000 men shortly after. The co
artillery was the first to arrive completely armed and cl
at their own expense. The corps will be an additional
men to the Royal Artillery and is chiefly composed of
extensive business and property. The rest of the militi
fully and in case of emergency 4,000 will join, in extrem
more, making the whole force 9,160 men; but there is
arms and ammunition. The necessity of arming th
various points from the King's stores to defend the
could now be laid waste by a privateer of ten guns.
in the Chesapeake of two French seventy-fours and fiv
fugitives from the massacre of Cap François; Genet, t
is trying to secure the squadron for the service of the
sequent alarm in Halifax, which led to two memorials,
are sent; the people assured that Ogilvie would adopt
defence. The Indians will be employed for one side or
engaged will become sanguinary enemies and massacr
settlers, which would bring on a war of extermination
securing them, which admits of no delay.

Enclosed. Address of a committee from the inhabita

Reasons annexed.

July 23. Halifax. Wentworth to Secretary of State (Dundas). Asks
notified of the command to raise a regiment, that he is
men with arms, etc., and to have the regiment muster
done in New Brunswick but refused in Nova Scotia
cation of the regiment, which has been enlisted witho
service.

August 3, London. John Butler Butler to the same. Offer to victual th

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the resignation of Barclay, and that he (Bayard) is to be Major. The services rendered by Bayard whilst acting as Lieutenant-Colonel; shall comply with the other instructions. Clothing for the men. Has received from the Treasury instructions respecting the pay, subsistence and provisions which he communicated to Ogilvie, who had no information on the subject. If the victuallers do not arrive, he shall be obliged to purchase provisions as before. The Deputy Paymaster General has received no instructions from the Treasury, but considers the order to him (Wentworth) sufficient authority. Thanks for consideration for the Indians; the £200 shall be expended with economy; the Indians shall be employed only in case of invasion, so that no expense has been incurred on that account. Is looking out for a suitable vessel to arm for the protection of the coast; has prevailed on Ogilvie to issue cannon and small arms for the protection of various ports. Arrival of French armament at New York and Boston; reported to be preparing for a descent on Halifax and afterwards on Newfoundland. Repair of the defences ordered; the disposition made by Ogilvie of the militia for defence. The arrangement he (Wentworth) made to place the prisoners on an island at the head of the North-west River not approved of by Ogilvie, who has sent them to the barracks in town. Is sending to England the prisoners taken by the "Alligator." Has written to Admiral King on the reported preparations for an attack on the province, asking for such aid as he can spare from his squadron. Arrival of merchant vessels, which left Admiral Gardner in latitude 22° 36′, longitude 64°, with a convoy of 200 ships from the West Indies; after convoying them to a proper distance, it is believed that Gardner, with part of his ships of war, will proceed to Halifax. The risk that the "Queen Charlotte" packet will be taken by French cruisers; she has been kept in the harbour. Is unable, from anxiety on account of French movements and from indisposition, to send an account of proceedings in the province. Col. Cor. N.S. vol. 22, p. 398

August 28, Halifax. Wentworth to King. Is still suffering from illness. The provisions for the regiment not yet supplied by the General, he not having received instructions; his expectation of the strict observance of etiquette, whatever may be the exigencies of the service. The disappointment of Bayard; recommends him for local rank. Wishes that the regiment had been honoured with the name solicited; it is mortifying to the men to be reduced from blue to green facings. The officers are the fittest men for the service, three leading members of the General Assembly being included. Hopes that Ogilvie's suspending the provincial laws will be attended to; had intended applying to the General Assembly for a grant for military services, but this action of Ogilvie's prevents it. Armstrong not being confirmed agent of the regiment, money will not be issued to him to purchase appointments, so that the regiment must wait a further arrangement. The refusal to allow the importation of salted provisions for His Majesty's service; should Gardner arrive with a fleet it will be impossible to supply him. Hopes an order may arrive for the repair of his (Wentworth's) vessel at the careening yard.

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August 30, London. John Fiott to Nepean. Transmits memorial sent from Jersey, for restitution of lands in St. Pierre and Miquelon; there is little probability that these islands will ever again belong to France.

Col. Cor. N. S. vol. 22, p. 498

Enclosed. Memorial on behalf of the firm of Lempriere, Durell & Co., of Jersey, for restitution of three estates in St. Pierre and Miquelon, purchased by the firm previous to 1763, when these islands were transferred to the French. 499

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August 31, London. Memorial of Lord Arden and Andrew B. Drummond, praying that the time may be extended for complying with the terms of the grants to Lord Egmont of lands in Nova Scotia. Col. Cor. N. S. vol. 22, p. 362

August 31, Quebec. Alured Clarke to Ogilvie. Grants permission to Danseville to go to Canada on parole. Col. Cor. N. S. vol. 24, p. 15

September 4, Whitehall. Secretary of State (Dundas) to Wentworth. Orders shall be sent through the Secretary at War to Ogilvie respecting the regiment being raised in Nova Scotia. Regrets the misunderstanding between the civil and military authorities; the necessity for co-operation at this time. Orders sent to supply arms to the militia under Barclay. Approves of the course towards the Indians. Encloses copy of letter from the Governor of Cape Breton respecting French families arrived there from the Magdalen and other islands. Col. Cor. N. S. vol. 22, p. 388

(Copy in Col. Off. N. S. vol. 2, p. 116.)

September 9, Halifax. Wentworth to King. The dissensions between Genet and the officers and men of the French fleet at New York have prevented an attack on Halifax. The French have at present determined to collect all their ships of war and homeward bound merchantmen to sail for France; the fleet consists of one 74, six large frigates, two 20 gun ships and two large armed brigs, with 120 merchantmen, richly laden. The men of the "Jupiter" had confined Rear Admiral Cambis and M. Galbaud; the confusion and disorder of French affairs at New York. Ogilvie has erected a new battery, which will be of great service; the militia of the town have supplied 100 men a day; this, with previous services, has been done without pay, drink, or rations. Hopes that orders will soon be received to fit out the armed vessel and to supply her with ordnance. In spite of the news from New York, will not in the least abate his vigilance. Arrival of a vessel from Cork. Hopes the clothing will soon be received. A. & W. I. vol. 588

September 27, Whitehall. Secretary of State (Dundas) to Wentworth. Orders the purchase at once of 2,500,000 shingles to be sent to Barbados; how they are to be sent. Forty horses also to be sent there as quickly as possible. Col. Cor. N. S. vol. 22, p. 394

October 3, Whitehall. Same to the same. The regiment may retain its original title of "Royal Nova Scotia Regiment," without express sanction. 410

(Copy in Col. Off. N. S. vol. 2, p. 118.)

October 3, Whitehall. Secretary of State (Dundas) to Wentworth. Regrets that delays should be caused from any quarter to the executions of orders, the delays being founded on mere formalities. Recapitulates instructions sent to him and Carleton for raising regiments in Nova Scotia and New Brunswick. Instructions sent to the Admiralty for fitting out the vessel allowed for provincial service. Regrets to hear of his indisposition. Col. Cor. N. S. vol. 22, p. 417

(Copy in Col. Off. N. S. vol. 2, p. 118).

October 7, Halifax. Extract from letter from Nova Scotia respecting the arrival of two Jacobins (one called Godfrey in this letter, but Gregory in letter of 6th July). They are suspected to be agents to excite the governments of America to take up the cause of France, in which it is believed they have failed. Col. Cor. N. S. vol. 22, p. 522

October 8, Halifax. Ogilvie to Secretary of State (Dundas). The prisoners from St. Pierre shall be embarked as opportunity offers; if they remain for the winter, bedding must be provided. The staff officers, prisoners at St. Pierre, represent their distress, having received no salary; submits their case. Cannot send a detachment from Halifax to Cape Breton; will send one from St. Pierre. Measures of defence taken at Halifax to meet apprehended attack from the enemy's strong naval force. 423

1793.
ctober 10, Wentworth to King. The military arrangements for the defence of
alifax. Halifax; the want of clothing. Report received that Admiral Gardner had established a port at St. Jeremie in Cap François and had been seen in the "Queen" off the coast; the French, therefore have left New York for the relief of Hispaniola. Has anticipated the wishes of Government in respect to the refugees from Miquelon to Cape Breton; those who have arrived are doing well. Has privately arranged for the Acadians on Isle Madame to be ready to aid Lieut. Governor M. (Macarmick). Wishes that St. Pierre had been entirely evacuated; if not detained by force, nine tenths would leave at their own expense; they might go anywhere, but should not be allowed to come to Cape Breton or St. John Island; an intimation should be made to the General and other officers to concur with him (Wentworth) in the measures he proposes. A French Indiaman sails in a few days, worth £150,000, with a convoy of a 36 and a 24 gun ship. Genet has sent emissaries to poison the minds of the Canadians. Attached are reports from Barclay, of the preparations of the French for an expedition, supposed to be for Nova Scotia, but the designs are kept secret. A note from Wentworth, dated the 11th, reports that he will continue his precautions.
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ctober 10, Same to Secretary of State (Dundas). Report, giving details, of an
alifax. expected attack organized by Genet, of the French fleet, on Nova Scotia. Hamilton, Consul in Virginia, reports that they have 2,000 regular troops. The militia ordered out to join the regulars for the defence of Halifax; the measures taken for their subsistence &c.; preparations for defence at other points. The militia of Annapolis county have offered to build a redoubt at their own expense and to defend that part of the country themselves. Commodore George is cruising to protect the coast and to convoy a large mast ship from New Brunswick to Halifax, there to join a convoy for England. The delay at Halifax has saved the "Queen Charlotte" packet from capture; mutiny on board; how it was put down. Arrival of three French gentlemen of great wealth in Cap François, with introductions from H. M. consuls at New York, Rhode Island and Boston; on these introductions had allowed them to go on board the packet. Four seamen, prisoners in Boston, were released and sent to Halifax; has put them on board the packet, which was short handed. About 500 British seamen are in and about Boston, who could be recovered to the service if their passage, about a guinea a man, were paid. Col. Cor. N. S. vol. 22, p. 419

ctober 12, Capt. Strange, H.M.S. "Hussar," to Stephens. Has been cruising off
alifax. New York and Philadelphia. The French have some expedition in view previous to their departure for France. Col. Cor. N. S. vol. 32, p. 130

ctober 25, John Butler Butler to Secretary of State (Dundas). Renews his offer
ondon. to victual the two corps in Nova Scotia and New Brunswick, being informed that a change of system had been adopted by the Treasury.
Col. Cor. N. S. vol. 22, p. 506

ctober 26, Thomas Fane to Cooke. Sends letter from Kearney; King may be
idmouth. able to help. 508

Enclosed. Letter from Kearney, respecting his appointment as Lieut.-Colonel in Nova Scotia. 509

ctober 31, Secretary of State (Dundas) to Wentworth. Thanks for information
Whitehall. of the French fleet at Nova Scotia, which has been communicated to the Admiralty. Authorizes him to raise two more companies of 100 men each, to be added to his regiment; they may require to be employed in some other of the North American provinces, Cape Breton being specifically mentioned. 416

(Copy in Col. Off. N. S. vol. 2, p. 120.)

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November 7, Halifax. Ogilvie to Secretary of State (Dundas). Recommends that the value of the provisions and stores, the property of the French Government, captured at St. Pierre, may be distributed to the Army and Navy. Col. Cor. N. S. vol. 22, p. 460

Enclosed. Report of survey on the provisions, &c., captured at St. Pierre. 462

Value of the same. 463

November 8, Whitehall. Secretary of State (Dundas) to Ogilvy. The King's sense of his zeal and that of Wentworth and of the militia and inhabitants of Nova Scotia. Clothing for the prisoners must be purchased on the spot, should they have to remain during the winter. Wentworth has been ordered to obtain transports to carry them to Guernsey in spring 432

(Copy in Col. Off. N. S. vol. 2, p. 122.)

November 8, Whitehall. Secretary of State (Dundas) to Wentworth. His Majesty's sense of the great zeal of the militia, &c. His repression of mutiny on board the packet approved of. Orders sent respecting the seamen at Boston. To take up vessels to transport the prisoners from St. Pierre, now at Halifax, to Guernsey. Col. Cor. N. S. vol. 22, p. 434

(Copy in Col. Off. N. S. vol. 2, p. 123.)

November 8, Whitehall. Secretary of State (Dundas) to Wentworth. The Islands of St. Pierre and Miquelon to be considered only as temporary residences for the purposes of the fisheries; how the prisoners and inhabitants there and the prisoners at Halifax are to be disposed of. Col. Cor. N. S. vol. 22, p. 437

November 9, Whitehall. King to the same. The season is too far advanced for the ships of war to go to Boston to bring off the sailors there; he is to make arrangements for transferring them to Halifax. 441

(Copy in Col. Off. N. S. vol. 2, p. 125.)

November 9, Halifax. Wentworth to Secretary of State (Dundas). Dispatches received; has no doubt that Ogilvie will comply with the Revenue Acts of the province and that his protection will be fully extended to the provincial regiment, which is doing the greater part of the garrison duty. Clothing, accoutrements and colours received. Has informed Macarmick that he (Wentworth) will co-operate in removing the Miquelon emigrants to Nova Scotia; is sorry to find that some of those at Arichat had imbued with democracy the Acadians, who before were quiet and well affected; has directed Macarmick to suppress these incendiaries, who dare not venture on such practices in Nova Scotia, where the priesthood and inhabitants will unite in discovering and making examples of them. The assistance he derives from Jones, the Superior; he has reduced the lower classes to order; recommends him to receive assistance. Has raised 1,050 militia, who have marched to repel a French republican attack; their good qualities and exertions; the zeal and disinterestedness of their officers, namely, Col. Barclay, Adjutant General of Militia, Col. Van Cortlandt, Lieut.-Col. Howe and Col. Brymer. The Acadians sent 75 men, who marched 200 miles and were happy in being incorporated with the English. Indians had assembled during the expectation of an invasion, who alarmed the inhabitants, but they have been made useful; abandonment by Genet of the invasion; the fleet sailed on the 9th of October probably to attack Newfoundland. There is no doubt that Genet intended to plunder and destroy Halifax but for the preparations made for its defence. Has been obliged to draw bills on the Treasury. To save expense, had dismissed the militia as soon as the French fleet was so far off that it could not return this season. Is afraid the vessels bound from Europe may fall into the hands of the French. Safe arrival of the "Earl of Mansfield" mast ship; the owners have consented to take the remainder of the French prisoners to be delivered into any prison in England where others are confined. The French prisoners

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taken at St. Pierre and Miquelon have been orderly, but in event of a hostile descent they would become troublesome; they are virulent democrats to a man; is anxious for their removal.

Col. Cor. N. S. vol. 22, p. 449

Enclosed. Memorial of James Jones, Superintendent of the Catholic missions in Nova Scotia, New Brunswick and the Islands of St. John and Cape Breton, to Wentworth. Having nine missionaries under his charge, supported by the voluntary contributions of their people, they cannot afford to contribute to his expenses of visitation &c.; prays that he (Wentworth) would recommend an allowance to be granted. 457

November 9, Halifax. Wentworth to Fisher (extract from a private letter). Has been daily expecting a visit from the French. Preparations made to receive them.

Col. Cor. N. S. vol. 32, p. 132

December 2, Whitehall. Secretary of State to Pender. To make inquiry into the conduct of Archdeacon and Godfrey, whilst on board the "Queen Charlotte" packet and also respecting Brule, a French passenger by the same vessel.

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December 6, Halifax. Wentworth to Secretary of State (Dundas). Sends list of Acts passed last session, with remarks on each; journals of Council and Assembly also sent. The journals will explain the course taken with respect to the dismissal of Cumberland from his office of agent. The fisheries have not been so productive as last year, but agriculture has been unusually prosperous and the opening of new and repairing of old roads have facilitated bringing produce to market. No manufactures set up, except a small beginning to make kelp, which may be increased to a very large quantity. The difficulty of having sittings of the Superior Court at Shelburne and other counties. Death of Green, the treasurer; his accounts, &c. under examination; recommends Benning Wentworth to succeed.

Col. Cor. N. S. vol. 23, p. 4

Enclosed. List of Acts. 16
Journal of Legislative Council. 20
Journal of Assembly. 108

December 6, Halifax. Wentworth to Secretary of State (Dundas). The gratitude of himself and his regiment for the title of "Royal Nova Scotia Regiment." 177

December 6, Whitehall. Secretary of State (Dundas) to Ogilvie. Rear Admiral King has sent stores and necessaries to St. Pierre and Miquelon and left the "Pluto" to co-operate with Major Thorne for their protection and that of the fisheries. To consult with Wentworth respecting the disposal of the prisoners and inhabitants. Coal ordered from Cape Breton.

Col. Cor. N. S. vol. 22, p. 443

(Copy in Col. Off. N. S. vol. 2, p. 126)

December 6, Whitehall. Secretary of State (Dundas) to Major Thorne. On the same subject as in that to Ogilvie of this date. Col. Cor. N. S. vol. 22, p. 446

(Copy in Col. Off. N. S. vol. 2, p. 128.)

December 7, Halifax. Wentworth to King. Death of Green, treasurer; recommends his brother-in-law, Benning Wentworth, to succeed. Supreme Court not held in the counties, in spite of every effort of the Chief Justice. The regiment sends thanks for being permitted to resume the name of "Royal." The defence had prevented Genet's attack. Is not certain of the Solicitor General; if found unworthy he must be suspended. Has not yet recovered from an attack of influenza.

December 7, Halifax. Same to the same. The packet having been delayed by a storm, is able to send naval officer's reports. Sends substance of Genet's invitation to the Canadians to join his rebellion; should any emissaries attempt mischief in Nova Scotia, they will speedily be secured and punished. The "Perdrix" of twenty two 9 and 12 pounders and the "Cerf," brig, are cruising off Sandy Hook to intercept the "Portland Packet".

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The "Marsellois" of 22 guns is in Boston harbour, preparing for a cruise, but it is not yet known where; hopes Commodore George may meet and send these marauders into Halifax. The good effect of a pamphlet by A. Young; wishes copies of such pamphlets were sent by the packets.

December 7, Halifax. Wentworth to King. Has sent a present of fish. The "Portland Packet" escaped capture by not going to New York; she sails tomorrow and he is trying to complete the provincial business for the year to be sent by her. Death of Green, treasurer; has nominated Benning Wentworth to succeed; asks for his good offices with Dundas to have the appointment confirmed. The Royal Nova Scotia regiment are delighted with the honour done them. The preparations for defence prevented the French from attacking Halifax, their force being inadequate. Hart, who takes this letter, has "some views to sollicit." He (Wentworth) scarcely recovered from an attack of influenza and rheumatism; Mrs. Wentworth has been as bad; she is anxious that her brother (Benning Wentworth) should succeed Green.

(The three preceding letters are in A. & W. I. vol. 598)

December 9, Falmouth. Pender to King. Sends account of the conduct of Archdeacon and Godfrey, whilst on the voyage to Halifax.

Col. Cor. N. S. vol. 22, p. 521

No date. Anonymous letter (signed "A Friend") respecting the removal of the labouring people to gratify the Sierra Leone adventurers; the defenceless state of Halifax, containing about £1,000,000 worth of stores, &c. which with the wooden fortification and £100,000 worth of British goods could be taken or destroyed by one fifty gun ship. Points out the handle any such destruction would give to the Opposition. 504

Number of men under arms at Halifax, at different periods during the year 1793, with the authorities quoted. 513

1794. January 1, Whitehall. Secretary of State (Dundas) to Wentworth. Approves of his conduct with respect to the French families at Arichat; all seditious practices to be suppressed. The Catholic Bishop of Quebec should make an allowance to Mr. Jones, suitable to his station; shall write to Dorchester on the subject. The conduct of the militia cannot fail to be highly pleasing to His Majesty. Has transmitted to the Admiralty such parts of his letter as relate to that department. Shall recommend to the Treasury to pay the bills drawn for the militia. Col. Cor. N. S. vol. 23, p. 1

(Copy in Col. Off. N. S. vol. 2, p. 131).

January 12. Richard Barwell to King. Encloses petitions from Mrs. Cottnam, for continuance to her of the pension granted to her late mother, the widow of Edward Howe. Col. Cor. N. S. vol. 23, p. 343

Enclosed. Letter dated 14th May on the subject of the application. 345

Petition, dated 28th May. (Duplicate at p. 351). 345

January 20, Halifax. Ogilvie to Secretary of State (Dundas). Articles for the French prisoners shall be provided with economy. Many of the inhabitants of St. Pierre and Miquelon may be desirous of settling in the province; a proportion would wish to retire to the American States; the whole property of the inhabitants is in the islands. Presumes the staff and their families will be sent to Guernsey with the other prisoners. 179

January 23, Windsor. G. H Monk to Wentworth. The destitute state of the Micmacs. Enclosed in Wentworth's letter of 19th May, which see.

January 23, Halifax. Wentworth to Secretary of State (Dundas). Is recruiting for the two additional companies to which Capts. How and Eldridge are appointed. Although intended for the immediate defence of the province, the whole regiment is willing to serve anywhere. Major Bayard has applied for leave to retire on half pay; recommends George Henry Monk to succeed. Col. Cor. N. S. vol. 23, p. 181

1794.
nuary 24, Wentworth to Secretary of State (Dundas). Thanks for approbation
alifax. of his services; shall reduce the expenses for the militia as far as possible. Measures taken to recover the seamen wandering in the United States; the appearance of a ship of war for this purpose might lead to opposition; has, therefore, offered a guinea a head for passage and ninepence a day for subsistence, so as to engage the interest of traders. Shall put the seamen returned on board the armed vessel during the absence of the ships of war. The French prisoners shall be sent to Guernsey when ships can be procured; it would not be safe to leave them here; has drawn bills for provisions prepared for their being shipped. Such of the people at St. Pierre as would make good settlers he proposes to disperse in the province, where they can maintain themselves and to whom subsistence for a limited time would be given. Has purchased a vessel for provincial service and drawn for the cost; her employment in the removal from St. Pierre and Miquelon will save a large part of the purchase money. Col. Cor. N. S. vol. 23, p. 184

nuary 25, Same to King. Fish sent by the "Ark"; shall send another lot by
alifax. the "Betsey." Dispatches received by the "Grantham" and "Roebuck," which could not proceed to New York, without being almost certainly captured. Is giving effect to government's wishes respecting prisoners and St. Pierre and Miquelon. Resignation of Bayard; Major Monk recommended to succeed. Has strongly recommended the memorial of Jones, Roman Catholic superior in these provinces; he can retain the services of 1,600 Catholics and defeat French mischiefs among them; an allowance of £70 a year could not be better employed. The army provision agency has expired; never were better provisions sent than those by Davison; hopes that the flour under the new service may be taken from Hartshorne & Tremain's mill; it will be got cheaper and fresher than that imported and be a great encouragement to agriculture in Nova Scotia. Arrival of Mitchell, agent for the contractors for provisions to the armament in the West Indies; is supplying him with provisions. Mitchell insists on going to New York in a vessel that is not expected to reach there, being unseaworthy. Has kept a copy of the contract in case of accident. Has heard from Quebec of the death there of Chief Justice Smith on the 6th of December last; suggests Monk, Attorney General there, as a suitable successor; his usefulness in composing the various disquiets that exist there, &c. Is afraid that the Chief Justice of Nova Scotia may be removed to Canada; should he be taken for his own and the public good recommends Blowers to succeed. The delay in the repeal of the instructions prohibiting the granting of land and in the receipt of instructions respecting the Windsor College. A. & W. I. vol. 598

bruary 5, Ogilvie to Secretary of State (Dundas). Respecting fuel for St.
lifax. Pierre and the orders given by him and by Rear Admiral King. Shall observe economy in the removal of the inhabitants from the islands. Shall carry into effect the plan, when agreed on, in regard to the prisoners and inhabitants of St. Pierre and Miquelon.
Col. Cor. N. S. vol. 23. p 201

bruary 9, Memorial of Jonathan Binney to be reinstated in his office. 366
lifax. *Enclosed.* Certificate by members of the Council of Nova Scotia in favour of Binney. 369

Wentworth to King. That he has no objection to Binney being reappointed to the Council. 370

bruary 10, Wentworth to Secretary of State (Dundas). The arrangements for
lifax. taking Prince Edward (Duke of Kent) from Boston to Barbados. The risk from intrigues of Genet; the master of the vessel sent to carry the Prince is to keep his business at Boston secret. 204

1794.
February 11, Halifax. Wentworth to King. The fine passages of the "Roebuck" and other two vessels establish the safety of winter passages. Has sent the "Roebuck" to Boston for Prince Edward; the want of a frigate; measures taken for the Prince's safety. Engaged with Mitchell, agent for the army contractors, for two cargoes for the West Indies; subsequent lunacy of Mitchell; steps taken to prevent injury to the service. Has not yet obtained vessels to carry prisoners to Guernsey; will employ the snow, if the Prince does not take her, for the evacuation of St. Pierre and Miquelon. If an additional force would be useful to Sir Charles Grey in the West Indies, the 4th regiment might be employed. a party is in Newfoundland recruiting for Sir John Johnson's regiment; if three or four companies of the corps were to remain in garrison in Newfoundland, the 4th could be well spared. The "Earl of Mansfield" has been lying at immense expense waiting for convoy; she is loaded with masts suitable for the fleet under Jarvis and might be sent direct to Antigua; the immense saving this would effect; the interest of the contractors is to keep the vessel on demurrage and their agent has no regard for Government. Reminds him that Hartshorne & Tremain can supply flour to Government at a beneficial rate. Cape Breton might revert to its old connection with Nova Scotia. If Sydney requires to be garrisoned, one company should be enough: hopes that a company of his (Wentworth's) regiment may be selected. Sends fish, &c.

Letter of same date follows, that information be given to the owner of the "Roebuck" that she goes to the West Indies with Prince Edward, so that he may have her insured. A. & W. I. vol. 59

February 14, London. Merchants trading to Halifax, to Secretary of State (Dundas). Asking for an interview before sending the usual supply of goods. Col. Cor. N. S. vol. 23, p. 354

February 14, Whitehall. Secretary of State (Dundas). to Wentworth. Approval of his remarks on the Acts and of the measures taken with respect to the public debt, &c. Regrets the decision of the Assembly in respect to Thompson's salary, but it should not be further urged. Wilkins, if an additional judge is appointed, should be enabled to sustain the dignity of his situation. Benning Wentworth to succeed Green as treasurer. Acknowledgement of the spirit of the Royal Nova Scotia Regiment. Has no doubt he has taken measures for the discovery of emissaries from Genet, or from any of the French Islands in the West Indies; how he is to deal with them. 190

(Copy in Col. Off. N. S. vol. 2, p. 135.)

February 14, Whitehall. Secretary of State (Dundas) to Ogilvie. Inhabitants of St. Pierre and Miquelon, who choose to go to the United States should be permitted to do so; the staff and their families should be sent to Guernsey with the other prisoners. Trusts that the completion of the Royal Nova Scotia regiment to 800 men will enable him to send two companies to Cape Breton, which cannot furnish means for its own defence. Col. Cor. N. S. vol. 23, p. 190

(Copy in Col. Off. N. S. vol. 2, p. 134.)

February 17, Whitehall. Secretary of State (Dundas) to Ogilvie. It would be contrary to the practice to grant the army and navy the value of the provisions captured at St. Pierre. Col. Cor. N. S. vol. 23, p. 197

(Copy in Col. Off. N. S. vol. 2, p. 138.)

February 19, London. Merchants trading to Halifax to Secretary of State (Dundas). Send reports respecting the French fleet, said to be in Boston; the danger of an attack on Halifax, and the destruction of the warlike and other stores there. Ask for a naval force to protect the coast. The distress that would be caused were the usual supplies not sent from London, owing to apprehension of an attack on Nova Scotia, New Brunswick and other parts of the province. Col. Cor. N. S. vol. 23, p. 353

1794.
ruary 21. "Statement of the different batteries at Halifax, in Nova Scotia, with "the number of guns mounted on each battery transmitted to Mr. "Secretary Dundas, by Capt. Hodgson, late Brigade Major at Halifax."
Col. Cor. N.S. vol. 23, p. 359

ruary 27, olwich. Return of the effectives of the Royal Artillery at Halifax during 1793. 363

ruary 28, ifax. Return of the effective forces at Halifax during 1793. 364

rch 1, itehall. Secretary of State (Dundas) to Ogilvie. Returns received of the New Brunswick regiment, but not those of the Royal regiment of Nova Scotia. Regular monthly returns to be sent to him and to Dorchester. 199
(Copy in Col. Off. N. S. vol. 2, p. 139.)

rch 10, miralty. Admiralty orders respecting the "Alligator."
Col. Cor. N. S. vol. 32, p. 134

rch 15, idon. Merchants trading to Halifax (signed by Robert Williams) to Secretary of State (Dundas). Send report that a French fleet was in Hampton roads on the 10th of February. Col. Cor. N. S. vol. 23, p. 365

rch 16, itehall. Secretary of State (Dundas) to Wentworth. Is confident that the Royal regiment of Nova Scotia will be zealous in the execution of its duty wherever sent. Bayard has leave to retire; George Henry Monk to succeed. Measures for the recovery of British seamen, for removing the inhabitants of St. Pierre and Miquelon, and for sending the prisoners to Guernsey approved of. The sooner the removal takes place the better, in order that St. Pierre and Miquelon may no longer be considered as permanent settlements. 208
(Copy in Col. Off. N. S. vol. 2, p. 141.)

rch 25, lifax Wentworth to Secretary of State (Dundas). Gratification of the Rev. Mr. Jones, and the adherents of the Catholic religion, at the favourable consideration given to his memorial. The emigrant families in Arichat have behaved with more discretion since they were ordered to take the oath of allegiance, and to renounce connection with democratic France. The first has been taken; the other will be publicly and solemnly administered; the punishment for infraction. Has been unable as yet to obtain vessels to carry the prisoners to Guernsey; one vessel has been secured to carry 100, but as they threatened to rise and carry the vessel to the Chesapeake, there to join the French squadron, they were not shipped. Some few are well disposed and will remain in the service of persons, who are to report their conduct regularly. Threats of the Jacobin Club, at Boston, that the islands of St. Pierre and Miquelon will be retaken; measures of prevention. Progress of the armed vessel "Earl of Moira;" she is to be sent to St. Pierre for the prisoners, with a crew of twelve, and a detachment of troops. The "Roebuck" packet arrived at Boston in time to save Prince Edward from taking passage in an unpleasant and not very safe little schooner. Has no doubt the "Roebuck" reached Barbados before the schooner reached Halifax, where she had arrived after a long and heavy passage. The gratification of the militia at the approbation of their conduct. Asks for naval protection for Halifax, so that the militia might be able to attend to their farms at seed time and harvest, otherwise there would be great distress.
Col. Cor. N. S. vol. 23, p. 213

arch 26, alifax. Same to King. Dispatches forwarded to Hammond by his (Wentworth's) secretary. (Hammond was the first British Minister sent to the United States). Capture of Fort Bourbon, Martinico, on the 16th with comparatively little loss. 220

pril 2, hitehall. Secretary of State (Dundas) to Ogilvie. Has no doubt that the inhabitants of St. Pierre and Miquelon will be sufficently provided for. The danger of allowing any of them to settle in the province; they are all to be sent to Guernsey. 211

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(Copy in Col. Off. N. S. vol. 2, p. 143.)

May 5, Halifax. Ogilvie to Secretary of State (Dundas). Shall inform the inhabi of St. Pierre and Miquelon that those who wish may go to the U States. Cannot send 200 of the Royal Nova Scotia regiment to Breton, as it will not be completed to 800 this spring. Will order be in readiness so soon as the troops leave St. Pierre. Dorcheste informed Macarmick that no troops would be sent to Cape B which must depend on naval defence. Col. cor. N. S., vol. 23, p

May 6, Halifax. Same to the same. Has received notice that his request respe the provisions captured at St. Pierre cannot be granted; what is done with the proceeds of other articles captured? Presumes that and forage will not be allowed.

May 6, Halifax. Wentworth to the same. In consequence of the embargo in U States ports, he is sending from Nova Scotia supplies for the Indies, hoping to disappoint any mischief intended to His Majesty' vice in the West Indies by the embargo on exports from the U States.

May 7, Halifax. Ogilvie to the same. Sends monthly return of the Royal Nova S regiment as directed. Has forwarded returns regularly to Dorch since the regiment was organized.

Enclosed. Monthly return to 1st May.

The same to 17th September, 1793.

May 7, Halifax. Wentworth to Secretary of State (Dundas). Thanks for approb and for the appointment of Benning Wentworth to be treasurer. notified Bayard that he has leave to retire and Monk that he is to ceed to the majority. Long explanation of the causes that have de the completion of the Royal Nova Scotia regiment to its full stre The recruiting is now proceeding and believes this will be the first ment completed; as it stands it is composed of a fine body of me well clothed and as fit for service as any in the army. Reports th ployment in which the armed snow "Earl of Moira" is engaged. "Ellegood" is transporting French prisoners from Halifax to Guer has drawn on the Treasury for provisions, pay, &c., for her equip The French fleet in the Chesapeake is said to amount to 250 sail. a fleet, with the inflamed state of American subjects and speech their legislatures, pointing out the provinces as objects of attack, n the arrival of the squadron anxiously looked for. The necessity reinforcement of regular troops, as the militia cannot be kept per ently employed without running the risk of starving every family depends on them. Suggests that invalids might be sent from the Indies, as they would soon recover and make a good garrison.

Enclosed. Monthly return of the Nova Scotia regiment.

May 7, Whitehall. Secretary of State (Dundas) to Wentworth. Arrival of P Edward in the West Indies, in time to take part in the capture of tinique, in which he distinguished himself. Approves of his h sent the "Earl of Moira" as well as the packet to Boston, also o measures taken to secure the obedience of the settlers from St. P and Miquelon. Refers to separate letter, for remarks on defence.

(Copy in Col. Off. N. S. vol. 2, p. 144)

May 8, Halifax. Wentworth to King. Shall execute the orders in secret letter of September. Hammond strongly recommends every exertion Nova Scotia to defeat the evil tendency of the American embargo. sending the articles required for the West Indies. Sends state o force; it is sufficient to repel the threatened invasion. The good pearance of his own regiment; it was too ridiculous to call the *sans culottes*. Thanks for the kind way in which Dundas and B have spoken of him and for the appointment of his brother-in-law t

4. treasury of Nova Scotia. The armed snow employed in carrying ordnance to Annapolis and Digby and in convoying the transport from New Brunswick for shipping the French prisoners; her future employment. The French fleet and convoy (250 vessels) in the Chesapeake probably sailed for Europe in April. If a strong fleet were sent it would probably bring the Chesapeake fleet into Halifax; the good effect that would have. Wishes he had discretionary powers about the mast ship; she would by this time have returned with invalids, who would make a good garrison. Is sending to the West Indies all the provisions he can spare; regrets that flour was not taken from Hartshorne & Tremain; 1,200 to 1,500 barrels could have been spared. Calls again attention to the repeal of instructions prohibiting the granting of land. Hopes to have the students removed into the college next autumn. "Madame St. Laurent (with a hundred names and titles)" is waiting a passage to England; her well known connection with Prince Edward; her elegance, good qualities, &c. Refers to his (Wentworth's) application for a baronetcy.

Enclosed. State of the force at Halifax to repel invasion: Royal Artillery, 80; King's Own, 102; Royal Nova Scotia regiment, 493; Tremain's Artillery, 65; Careening yard and adherents, 150; "Hussar" frigate, 200; the packet and merchantmen under Capt. Jones, 186; the militia from the country 1,229; 1st and 2nd battalion of Halifax militia, 1,670; civil branch of ordnance, 30; Lunenburg militia, prepared to march by a road cut for the purpose leading to that part of the country, 200; total 4,405.

Letter and enclosure in A. &. W. I. vol. 598.

Secretary of State (Dundas) to Wentworth. A squadron under
11. Admiral Murray sent to protect the North American Provinces; how he is to communicate with the Admiral should he desire to send him intelligence. Col. Cor. N. S. vol. 23, p. 226

(Copy in Col. Off. N. S. vol. 2, p. 146).

Correspondence between Mitchell and Wentworth regarding the contract for the supply of the provisions to the forces in the West Indies and the effect of the embargo in the United States on the contract (three papers). A. & W. I. vol. 598

Wentworth to Forsyth. The arrangements he will make for Shaw and other British subjects, who propose to leave New York for Nova Scotia. A. & W. I. vol. 598

Secretary of State (Dundas) to Wentworth. In consequence of the
11. increase of the Nova Scotia regiment, Major Bayard is to be appointed Colonel *en second* and to do duty with the regiment. Col. Cor. N. S. vol. 23, p. 228

(Copy in Col. Off. N. S. vol. 2, p. 148).

Wentworth to King. Arrival of good old Miller and his good old sister. Arrival of Prince Edward on the 10th, who has applied for the command of the district; he (Wentworth) earnestly hopes the application may be successful. Further about Madame St. Laurent; arrangements made by the Prince for her being brought out to Halifax. The intractable character of Ogilvie, who is looked up to by all who oppose Government. The Prince clothes his (Wentworth's) regiment before reviewing them. The temporary exasperation against him (Wentworth) on the circulation of false reports. Shall show Prince Edward a regiment of Halifax Militia. Is sorry he (King) lost his fish. Naval movements; the French fleet sailed from the Chesapeake on the 20th April. Provisions sent to the West Indies. The French vessel on the Banks of Newfoundland is now reported to be only a privateer. Prince Edward wishes the arrangement about his taking command in Nova Scotia to be communicated to Madame St. Laurent. Dissatisfaction in the United

1794.

States at the embargo; alarm of British merchants in the United States at the threat of Congress to sequestrate their goods. A. & W. I. vol. 598.

May 19, Halifax. Wentworth to Secretary of State (Dundas). Arrival of Prince Edward on the 10th. Vessels to be sent for the relief of the "Dedalus," detained at Norfolk, Virginia. Merchant vessels preparing to complete the evacuation of St. Pierre and Miquelon. The ships with provisions for Guernsey will be ready to sail in eight days; the prisoners are all violent democrats. The advantages of complying with Prince Edward's wish to command in the district. Sends memorial from the Micmac Indians; their destitute state; has persuaded some families to plant potatoes and other vegetables and has promised two blankets to each family which raises enough for its own support. Asks for another £200 to keep them alive through next winter. A large brigantine loading horses and shingles for the West Indies. Col. Cor. N. S. vol. 23, p. 251

Enclosed. Petition of the Micmacs. 253

Representation from G. H. Monk on the wretched state of the Micmacs. 257

May 29, Halifax. Wentworth to King. The difficulty of obtaining transports for the conveyance of prisoners from Halifax and the evacuation of St. Pierre, had, however, succeeded. The "Ellegood" sails with 220 prisoners for Guernsey; recommends her for employment as a transport. 261

May 30, Halifax. Bill of lading for shingles. Enclosed in Wentworth's letter of 24th January, 1795, which see.

June 6, Halifax. Ogilvie to Secretary of State (Dundas). Sends monthly return to 1st June of the Royal Nova Scotia regiment. Col. Cor. N. S. vol. 23, p. 271

Enclosed. Return. 272

June 6, Halifax. Journal of the Legislative Council. Col. Cor. N. S. vol. 24, p. 108

The same of Assembly. 141

June 7, Halifax. Wentworth to King. Meeting of General Assembly; sends newspaper with his speech and copy of address in reply. The justification of his conduct respecting the militia. Expects a quiet session and will avoid all questions that can afford pretence for debates. Prince Edward will make a journey to New Brunswick; the "Zebra" will attend him; his improvement in deportment &c.; his agent to be assisted in getting his baggage, &c., sent. Prince Edward is anxious that Madame St. Laurent should be well accommodated in her passage out; is pleased with the militia, &c. A transport with 223 French prisoners is ready to sail. Vessels have been waiting for a favourable wind to convey the inhabitants from St. Pierre and Miquelon to Nova Scotia; sends charter party with remarks. Shipment of shingles, horses, &c., for the West Indies. Repeats application from British merchants in the United States for leave to withdraw their merchandise for safety to Nova Scotia, to which he had consented, subject to His Majesty's pleasure. If approved of, it will exceedingly influence the United States to moderation and peace. Leave given to import provisions for the navy from the United States, otherwise the ships cannot sail.

Address of the House of Assembly to the Governor's speech.

June 11, Halifax. Wentworth to King. The delay to the sailing of the vessels, from a south-east gale; the "Zebra" is trying to work out to take Prince Edward on board at Annapolis; the Prince's growing excellence. Respecting his nephew Charles and his son Charles, for whom he asks his (King's) influence.

The three preceding entries in A. & W. I. vol. 598.

June 21, Halifax. Same to the Secretary of State (Dundas). Thanks for approbation. The good effects produced by the destination of Murray's naval force. Arrival of the "Earl of Moira" from Quebec, with baggage, &c., for Prince Edward. Movements of vessels connected with the removal of inhabitants from St. Pierre and Miquelon. Prince Edward gone to New

1794.

Brunswick, to return to Halifax by the 4th of July. Steps taken to check desertion. The brigantine "Prince Edward" to sail for Barbados with horses and shingles. Report by Lieut. Earle, arrived from Turk's Island, of having fallen in with two fleets near the Mona passage steering for Hispaniola; one large frigate hailed the vessel he was in, but showed no colours. Col. Cor. N. S. vol. 23, p. 273

June 23, Boston. Description of two vessels loaded with provisions for Havre, France, and copies of correspondence between Commodore George (27th May) and the agent for the contractors for supplying the navy (31st May), respecting obtaining a supply from the United States. (Endorsed as enclosed in letter from Wentworth of 1st July, which is in Col. Cor. N. S. vol. 23). A. & W. I. vol. 598

July 1, Halifax. Wentworth to King. Prince Edward has taken command to the general satisfaction of the people. Dispatch from Hamilton, dated Bermuda, 23rd June, reports the arrival of a French fleet at Guadaloupe with 2,000 troops; they effected a landing at St. Anne; Admiral Jervis in pursuit; expects soon to hear of the French fleet being captured. Provisions for the ships in harbour permitted to be imported from Boston, so that they are able to proceed to sea. The seizure by the Customs authorities of the vessels bringing the provisions, which were delivered to the contractors on their bonds; asks him (King) to obtain an order for release, the provisions being all for His Majesty's service. The difficulty of obtaining provisions for the vessels; encloses correspondence on the subject. The snow "Earl of Moira" gone to St. Pierre, relieving the "Zebra," sloop of war; the service rendered by the snow. The vessel with horses and shingles sails today, having been detained for want of wind. Reported capture of Arnold by the French squadron. The inferior quality of the clothing sent. Col. Cor. N. S. vol. 23, p. 280

(A note to this letter says: "Inclosures missing"; they are in A. & W. I. vol. 598, 23rd June).

July 2, Halifax. Bill of lading for horses and shingles. Enclosed in Wentworth's letter of 24th January, 1795, which see; invoice of the same, enclosed in same letter.

July 2, Halifax. J. Lewis to Murdoch. Complains of the seizure of the "Pigou." Enclosed in King's letter of 12th August, which see.

July 4, Halifax. Wentworth to Secretary of State (Dundas). Prince Edward has taken command and desires him (Wentworth) to represent the benefit to the service if he were allowed to issue a proclamation offering a free pardon to all deserters who should join one of the regiments, either regular or provincial. Col. Cor. N. S. vol. 23, p. 293

July 5, Whitehall. Secretary of State (Dundas) to Wentworth. The rapid success in the West Indies renders the speedy arrival of shingles less necessary. The horses and all sorts of provisions will arrive very opportunely. Regrets that any circumstance should have delayed the completion of his regiment; the bad effect of Ogilvie's proclamation about deserters. Measures for the defence of Annapolis and Digby approved of. Has the strongest hopes for a termination of all differences with the United States. The arrival of Admiral Murray should, with the military force of the province, be a sufficient defence; will, however, send troops to obviate the necessity of calling out the militia to the prejudice of agricultural operations. Is gratified to learn of the safe arrival of Prince Edward; the King's pleasure that he is to command as Major General shall be communicated to His Royal Higness by Amherst. Hopes that the "Hussar" and "Blanche" will relieve the "Dedalus." Will not object to another £200 for the relief of the Micmacs; hopes this will be only a temporary measure, and that they will soon be released from dependence by their own efforts. 264

1794.

(Copy in Col. Off. N. S. vol. 2, p. 149).

July 30, Whitehall. Secretary of State (Portland) to Ogilvie. The prize Act referred to the Attorney General for opinion. The proceeds of the provisions captured at St. Pierre are to be divided, in accordance therewith, between the land and sea forces. Col. Cor. N. S. vol. 23, p. 278

(Copy in Col. Off. N. S. vol. 2, p. 153).

August 5, Wentworth. Secretary of State (Portland) to Wentworth. Is glad to find that St. Pierre and Miquelon are evacuated, the more necessary as they are annexed to Newfoundland and inserted in Wallace's commission. Copies of letters to be laid before Prince Edward will show the probable number of troops ordered to Halifax. Col. Cor. N. S. vol. 23, p. 287

(Copy in Col. Off. N. S. vol. 2, p. 155).

August 12, Whitehall. King to Wentworth. Sends copy of letter from Lewis of the ship "Pigou"; he is to see that Lewis has no cause to complain of the Vice-Admiralty Court. The letter from Lewis was put into Grenville's hands by Jay. Col. Cor. N. S. vol. 23, p. 289

Enclosed. Letter from Lewis to Murdoch, complaining of the seizure of the "Pigou." 291

August 13, Quebec. Dorchester to Wentworth. Sends Dansville to Halifax where he trusts he may be allowed to remain, it not being expedient for French subjects to reside at Quebec without express permission from His Majesty's ministers. Col. Cor. N. S. vol. 24, p. 13

August 15, "Resolution," Halifax. Vice Admiral Murray to Secretary of State (Dundas). Has just arrived from Sandy Hook, with part of the squadron to refit. Did not go up to New York, the country appearing to be governed by King Mob. Has conferred with Mr. Hammond and found him to be the steady clear, candid and firm minister represented. Col. Cor. N. S. vol. 25, p. 140

August 16, Halifax. Same to the same. At the Hook, 30 miles below New York, had conversations with Hammond, the minister to the United States, and they mutually communicated their instructions. Shall deal with caution and firmness in his intercourse with the Americans. Did not go up to New York, as there was no answering for the actions of King Mob and any insult to the flag must have brought things to a serious issue, besides the loss of men, $100 having been publicly offered them to desert. Shall return to the bar of New York in a few weeks. The coast being clear of French cruisers, asks that the packet may go from Halifax to New York as formerly, instead of returning direct to Europe from Halifax. The language used in the American Congress against the King and country is too shocking to repeat. Col. Cor. N. S. vol. 23, p. 371

August 23, Halifax. Wentworth to the same. Bayard has been informed of his promotion. Prince Edward has ordered a detachment of the Royal Nova Scotia regiment to relieve the 4th at St. John's, Newfoundland; the men are on board the snow "Earl of Moira," which is to take the 4th to St. Pierre and on the evacuation of the island is to convoy the 4th to Quebec returning with the fusiliers to Halifax; this saves the expense of a transport and allows Murray to employ a ship of war to cruise on the coast. Further on the evacuation of St. Pierre and Miquelon. The Royal Nova Scotia regiment has been mustered; return for July sent. 296

Enclosed. Return. 300

August 24, Halifax. Chief Justice Strange to King. His efforts in the Council to obviate the differences and to maintain harmony between the two Houses. Wentworth's reserve towards him in questions of government. The building for the college (at Windsor) is being adorned; a portion is getting fitted up for a library, to be supplied with books, philosophical instruments &c., by private subscription. The means he has adopted to raise the necessary amount. A. & W. I. vol. 598

1794.
ugust 24, Wentworth to the same. Arrival of Madame St. Laurent by the
alifax. "Westmoreland." The Prince and his whole family still with him (Wentworth); has given the Prince the country house, furniture and farm, &c. during his stay. The high character of the Prince, his dissatisfaction at the report of his services in the West Indies. Encloses letter from Macarmick concerning Miller; will assist him. Wood and his son provided for. The great expense of removing prisoners &c.
A. & W. I. vol. 598

ugust 24, Same to Secretary of State (Dundas). Hopes the shipments to the
alifax. West Indies may prove useful; owing to the absence of the merchants cannot yet send the accounts. The obstacles to the recruiting of the Royal Nova Scotia regiment relieved by the liberality of Prince Edward; the popularity of his appointment. The eagerness of the officers and men of the regiment to volunteer for service in Newfoundland, where arrangements have been made for recruiting. Prince Edward's satisfaction at the plans for the defence of Nova Scotia. The benefits to the Micmacs from the grant of £200; how they are at present employed; their progress gives hope that in a few years they will civilise and support themselves.
Col. Cor. N. S. vol. 23, p. 301

ptember 1, Monthly return of the Royal Nova Scotia regiment. Enclosed in
alifax. Prince Edward's letter of 10th September, which see.

ptember 10, Prince Edward to Secretary of State (Dundas). Reports on the state
alifax. of the barracks and fortifications. It is indispensable that more troops be sent immediately. Col. Cor. N. S. vol. 25, p. 1

ptember 10, Same to the same. Transmits the return of the Royal Nova Scotia
alifax. regiment to 1st September. 7
Enclosed. Return. 9

ptember 11, Certificate from Major Thorne that William McIntosh, Quarter Master
. Peters, N'd Sergeant of the 4th regiment, acted as commissary in the provision and fuel department from 11th June, 1793, to 11th September, 1794, and has not received any pay for performing the duty.
Col. Cor. N. S. vol. 26, p. 101

ptember 16, Vice Admiral Murray to Secretary of State (Dundas). Remains at
alifax. Halifax for the protection of the town, which is in a most defenceless state, as it is reported that a large French squadron has arrived at Boston. The resources of the country have been unfairly represented; no dependence to be placed on the militia, as they are not amenable to military law and come and go as they please.
Col. Cor. N. S. vol. 25, p. 148

ptember 16, Wentworth to King. The pleasant relations between him and the
alifax. commander-in-chief and the Admiral. How the Prince is housed, &c.; the care taken by him (Wentworth) to have his rank respected. The Prince's desire to have a more extensive command, and that he should have the 26th regiment. Major Barclay has applied for a military pension which is strongly recommended. Sends petition, No. 2, from James Meany, showing his sufferings. Sends Miller's report of colliery operations; the prospect of a large revenue from the collieries. The evacuation of St. Pierre and Miquelon completed; about 450 of the inhabitants will settle in Nova Scotia; the rest of the inhabitants and prisoners sent to Guernsey. A. & W. I. vol. 598

ptember 16, Same to Secretary of State (Dundas). The late session of the Legis-
alifax. lature conducted with harmony and attention to the public service. Sends address from the Assembly with remarks; the desirableness of a change in the law regulating the trade with Quebec. Arrival of the frigates "Cleopatra" and "Thisbe"; it is reported that a French fleet had gone into Boston. A frigate and a messenger by land sent for intelligence. The measures taken for defence; details given of armament,

1794.

Enclosed. Monthly return. Col. Cor. N. S. vol. 23, p. 337

November 11, Halifax. Prince Edward to Secretary of State (Portland). In consequence of the expected arrival of troops from the West Indies, every exertion has been made to provide barrack accommodation. Earnestly asks for a strong reinforcement of troops and artillery. The evacuation of St. Pierre and Miquelon complete; the guns rendered unserviceable and the shot sunk. Recommends granting Barclay's petition for a pension on account of his services and losses. 338

Enclosed. Sketch of the town and harbour of Halifax. 342

(See also Col. Cor. N. S. vol. 25, pp. 14 and 32.)

November 12, Halifax. Wentworth to King. Capture by the French fleet of the August packet and about 30 sail; they are sent to New York. Letters lost; papers mention that the Duke of Portland is at the Horse Guards, but do not say in what department. Hopes that he (Wentworth) will soon receive his spurs; his regiment now numbers 628 and will soon be complete; no clothing received; consequent suffering of the men, who do not complain. No merchant vessels have arrived for a year. There may be an absolute necessity to import essentials from the United States. Apprehended loss of Prince Edward's baggage, horses, carriages, &c., in the vessels taken by the French fleet. Improvement of the garrison; the removal of Ogilvie desired. Information respecting St. Pierre, &c. as in previous letters. A. &. W. I. vol. 598

November 12, Halifax. Return of lodging money. Enclosed in Wentworth's letter of 23rd July, 1796, which see.

November 24, Halifax. Decree of Court of Admiralty received, respecting property captured at St. Pierre Miquelon. Enclosed in Ogilvie's letter of 26th December, which see.

November 25, Halifax. Proceedings of Council concerning the capture of the brig "Mars," with letters from Prince Edward and Murray on the same subject. Enclosed in Wentworth's letter of 26th November, which see.

November 26, Halifax. Wentworth to Secretary of State (Portland). Encloses letters from Prince Edward and Rear Admiral Murray. The brig "Mars" laden with provisions and clothing having been taken by the French and carried into Boston, he (Wentworth) has been obliged to accede to the requisitions of the commander-in-chief and Council to purchase and import her cargo. Col. Cor. N. S. vol. 24, p. 3

Enclosed. Proceedings of Council concerning the capture of the brig "Mars," with letters from Prince Edward and Murray on the same subject. 7

December 1, Halifax. Monthly return of the Royal Nova Scotia Regiment. Enclosed in Wentworth's letter of 7th January, 1795, which see.

December 10, Halifax. Wentworth to Secretary of State (Portland). Transmits memorial of Danseville, with copies of letters from Dorchester and Ogilvie respecting that gentleman. Col. Cor. N. S. vol. 24, p. 9.

Enclosed. Memorial of Danseville for permission to remain in Canada. 11

December 20, Halifax. Wentworth to Secretary of State (Portland). As the militia could not be embodied for any length of time without greatly distressing the inhabitants, has raised a legion to consist of a thousand men, which corps will be ready to repair to any part of the province that may be invaded. It would also be expedient to select two flank companies in each regiment in addition to the artillery company; government would then have 2,000 men to depend on. Clothes and subsistence required. Col. Cor. N. S. vol. 24, p. 17

(An extract is in Col. Cor. N. S. vol. 26, p. 17.)

December 20, Halifax. Wentworth to Secretary of State (Portland), (separate). If his plan for raising a legion be approved of, requests that John Fisher, junior, be permitted to purchase and ship the clothing, &c. Col. Cor. N. S. vol. 24, p. 24

1794.

December 21, Bordeaux. Joshua Barnley to his brother. Enclosed in Wentworth's letter to King of 18th April 1795, which see.

December 21, Halifax. Wentworth to Secretary of State (Portland). Dispatch of 2nd October received. The removal of the inhabitants from St. Pierre and Miquelon has been conducted with care and economy, they have been placed in different harbours where fisheries are carried on. Many of them are Acadians, who rejoice to be restored to this province.
Col. Cor. N. S. vol. 24, p. 26

December 26, Halifax. Ogilvie to Secretary of State (Portland). Has received duplicate of Portland's letter of 30th July, with enclosure signifying His Majesty's pleasure that the proceeds of the provisions and other articles captured at St. Pierre and Miquelon should be distributed among the land and sea forces serving on that expedition. 51

Enclosed. Copy of decree, 24th November, issued from the Court of Admiralty respecting property captured at St. Pierre and Miquelon. 53
(Duplicates of letter and enclosure pp. 223 and 225).

Agreement, 4th May, between Ogilvie and Captain Affleck respecting captures which should be equally divided between the army and navy.
Col. Cor. N. S. vol. 24, p. 55

Calculated proceeds of the provisions and articles captured at St. Pierre and Miquelon. 57
(Duplicates at pp. 227, 229.)

December 26. Wentworth and other Governors of King's College to Secretary of State (Portland). The sum of £1,500 is still required to finish the building; request His Grace's aid to obtain the same.
Col. Cor. N. S. vol. 24, p. 45
(Duplicate in Col. Cor. N. S. vol. 32, p. 136.)

Enclosed. Account of money expended under the direction of the Governors of King's College at Windsor in Nova Scotia in the erecting a suitable building there which is as yet unfinished (two copies).
Col. Cor. N. S. vol. 24, pp. 47, 49

December 31, Halifax. Prince Edward to Secretary of State (Portland). Submits a plan for the defence of the islands of Cape Breton and St. John. The experiment of dividing these islands into separate governments has failed, they both prospered better under the administration of Nova Scotia.
Col. Cor. N. S. vol. 30, p. 3

December 31, Halifax. Same to Dundas. Has not received the expected reinforcements from the West Indies. Again urges the necessity of sending troops for the defence of the province. Col. Cor. N. S. vol. 25, p. 33

Enclosed. Captain Tripp of the "Severn" to the commanding officer at St Domingo, 18th October. Desires to know what transports are intended to receive troops to be conveyed to Halifax and Quebec. Has orders to act as convoy to the transports. 37

Brigadier General Harneck to Tripp. Has received no orders respecting the transports or troops. 39

Tripp to Captain Martin of the "Magicienne," and senior officer at Port-au-Prince, 24th October. Wishes to know whether there may be troops at Jamaica destined for Halifax and Quebec or whether he ought to proceed immediately to Quebec. 41

Martin to Tripp, 26th October. No troops can be spared for America; is of opinion that Tripp should proceed at once according to his orders from the Admiralty. 43

December 31, Halifax. Prince Edward to Dundas. Offers to raise a corps to be styled the Royal Irish Fusileers, and desires the King's permission. 45

1795, January 1, Halifax. Monthly return of the Royal Nova Scotia regiment. Enclosed in Wentworth's letter of 21st January, which see.

1795.
January 4, Halifax. Prince Edward to Dundas. Forwards by Capt. Vesey, his aide-de-camp, returns of the Royal Nova Scotia Regiment for November and December. Col. Cor. N. S. vol. 25, p. 49

Enclosed. Monthly return of the Royal Nova Scotia Regiment. 51

(By error this return is dated 1st December, 1795, should be 1794.)

Monthly return of the Royal Nova Scotia Regiment dated 1st January, 1795. 52

(The same returns were sent by Wentworth on 21st January.)

January 8, Whitehall. Secretary of State (Portland) to Prince Edward. His (Prince Edward's) attention to his duties cannot fail to conduce to the safety of the district and tend to assist the spirit of cooperation which marks the conduct of every description of persons. The treaty with the United States will relieve him from apprehension in that quarter. The conduct of his regiment and of the militia is highly satisfactory. If he (Prince Edward) agree to the indulgence to the boys respited for a time, it will probably not be disapproved of. Col. Cor. N. S. vol. 24, p. 1

(Copy in Col. Off. N. S., vol. 2, p. 161.)

January 8, Whitehall. Secretary of State (Portland) to Prince Edward. His preparations for the reception of the troops from the West Indies and rendering the heavy guns at St. Pierre unserviceable are proper. Congratulates him on the conclusion of the treaty with the United States. His recommendation of Barclay transmitted to the Treasury. Col. Cor. N. S. vol. 30, p. 1

(Copy in Col. Off. N. S., vol. 2, p. 163.)

January 19, Halifax. Kearney to Wentworth. Reports that the pouches sent out for the Royal Nova Scotia Regiment are totally unfit for service and that the pouch belts, bayonet belts and gun slings are of a very inferior quality. Col. Cor. N. S. vol. 24, p. 237

January 20, Hallifax. Wentworth to Secretary of State (Portland). Recommends Benning Wentworth to fill the vacancy in the Council occasioned by the removal of John Butler Butler to reside in London. 30

January 20, Halifax. Same to the same. Transmits monthly returns of the Royal Nova Scotia Regiment. Requests that a medicine chest may be sent for the use of the regiment. 32

(The returns enclosed are the same as those sent by Prince Edward on 4th January.)

January 23, Halifax. Wentworth to King. Remarks on his public proposals respecting the militia. Requests that clothing may be procured through his nephew; the inferior quality of some sent by Maitland & Co.; Bayard sick at New York; he is junior to Monk, who should therefore be promoted before him, but it has been proposed that Monk should be made a puisne judge in Montreal, which would remove difficulties. Is afraid the Chief Justice may be removed by promotion; entreats that the vacancy be not suddenly filled up on account of the importance of the office; his bad opinion of Uniacke, the Solicitor General. Reported resignation of Dorchester; Prince Edward has written to the Prince of Wales for his interest for the military command to himself and for the civil command to him (Wentworth); should, however, the Islands of St. John and Cape Breton be restored to Nova Scotia, he would not care to remove to Quebec. The disordered state of Cape Breton; Lieut.-Gov. M. (Macarmick) will be in London as soon as possible; the colliery contractors are petitioning for reimbursement of their expenses for rebuilding the wharf, road &c., recommends payment of £384.14.3. Hears that the French are obtaining a large quantity of timber and masts in New England. The desirableness of Ogilvie's removal. The liberality and good temper of Admiral Murray; his application for exemption from the duty on liquors &c., used in the Navy, which it will be difficult to grant. A. & W. I. vol. 598

1795.
January 24, Halifax. Wentworth to Secretary of State (Portland). Transmits bills of lading for horses and shingles shipped to the West Indies. Requests protection towards the completion of King's College, Windsor.
Col. Cor, N. S. vol. 24, p. 37

Enclosed. Bill of lading, 30th May, 1794, for shingles in the brig "Mary," to the West Indies. 40

Bill of lading, 2nd July, 1794, for horses and shingles shipped in the brig "Prince Edward," to the West Indies. 39

Invoice and bill of lading, 2nd July, 1794, for a cargo of horses and shingles shipped from Nova Scotia to Martinico. 41

January 25, Halifax. Wentworth to Portland. Solicits permission to give assent to an Act of the General Assembly to establish a lottery at their next session, to raise a sum not exceeding £2,000 sterling to be applied for the purpose of erecting bridges and improving roads within the Province. 43

February 19, London. John Jay to Monroe, United States Ambassador in Paris. Sends letter by Col. Trumbull. Enclosed in Admiral Murray's letter to Dundas of 26th June, which see.

March 12, Halifax. Wentworth's speech to the Council and Assembly at the opening of the session.

Address of the Assembly in reply, 13th March.

Address of the Council in reply. 15th March.

(The speech and addresses are extracts from the journals; they were enclosed in Wentworth's letter of 18th April.)

March 25, Halifax. Prince Edward to Secretary of State (Portland). The non-arrival of troops from the West Indies renders indispensable the dispatch of the reinforcements solicited. Suggests that the regular regiments might be recruited from the provincial corps were a bounty of five guineas offered as an inducement to the men to volunteer. The provincial regiment would be able to recruit every autumn in Newfoundland.
Col. Cor. N.S. vol. 30, p. 10

March 25, Halifax. Same to Dundas. Trusts that his requisition for a regiment of infantry, a company of artillery and an officer of engineers to be sent from Canada may be complied with. Answers the remarks of the Duke of Richmond, on the state of the fortifications, barracks, etc.
Col. Cor. N.S. vol. 25, p. 53

Enclosed. State of the ordnance storehouses at Halifax, 24th March. 64

Captain Straton, Royal Engineers, to Prince Edward. Gives a return of all the barracks and guard houses, their present state and repairs necessary, 27th March. 59

Return, 30th March, of ordnance and carriages wanting for the service of the Royal Artillery, signed by Thomas Desbrisay, Capt. Com. R. A. 63

(Two of the enclosures were of a subsequent date to the covering letter.)

March 31, Paris. Benjamin Hichborn, of Massachusetts, to Monroe. Enclosed in Admiral Murray's of 26th June, which see.

April 1, Halifax. Wentworth to King. Has been ill, but is now better. Called the Assembly earlier than he intended, to get through the business more quickly, there being less politics than in summer, when there is more leisure. Is afraid Cumberland will not be restored to the agency. The proposal to exchange 400 of the finest men in his regiment for an equal number of the worst and oldest of the 7th, but has not fully entered into the subject with Prince Edward; doubts the wisdom of the course, as it would probably put a stop to recruiting. Eulogy of Prince Edward. Relieved the best manned frigate in the squadron from a service

1795.

to which the armed snow "Earl of Moira" was competent; the frigate has sailed; hopes she will capture a French brig, with 400 tons of provisions. A. & W. I. vol. 598

ril 1, lifax. Prince Edward to Dundas. Sends returns of the Royal Nova Scotia Regiment. Col. Cor. N. S. vol. 25, p. 66

Returns. 68, 69, 70

ril 1, lifax. Wentworth to Secretary of State (Portland). Acknowledges dispatch of 8th January. Commends the Nova Scotia regiment for its daily improvement and the men's constant attention to duty. The frigate "Hussar" sent to join Admiral Murray. Col. Cor. N. S. vol. 24, p. 67

pril 2, hitehall. Secretary of State (Portland) to Prince Edward. His observations on the policy of establishing separate governments in the islands comprised in Nova Scotia are worthy of consideration. The part of his letter relating to works of defence has been transmitted to the Master General and Board and Ordnance. Sends copy of letter from the Treasury respecting supply of clothing for the militia to replace that which was captured. Colonel Danseville may remain on parole in Lower Canada, unless Dorchester consider it detrimental to the service. Col. Cor. N. S. vol. 30, p. 7

(Duplicate in Col. Off. N.S. vol. 2, p. 165.)

pril 2, hitehall. Same to the committee for building King's College. Has received the account of the expenditure of the £3,000 and their request for £1,500 more to complete the building; a sum will be placed in the estimates but the amount that can be spent advantageously each year is to be reported so that no more than that sum may make part of the estimates. Col. Cor. N. S. vol. 24, p. 59

(Copy in Col. Off. N.S. vol. 2, p. 167.)

pril 7. Prince Edward to Wentworth. Enclosed in Wentworth's of 18th April, which see.

pril 9, hitehall. Secretary of State (Portland) to Wentworth. Does not, under the exceptional circumstances, disapprove of his measures for supplying the fleet and army. Sends copy of letter from the Treasury respecting the clothing for the militia, to replace what had been captured. Danseville may remain on parole in Lower Canada, unless Dorchester should think it detrimental to His Majesty's interests. Directions are to be sent to refit the "Earl of Moira" in the careening dock at Halifax. His account of the orderly conduct of the inhabitants from St. Pierre and Miquelon, now in the province, is satisfactory. No doubt some relief must be given to the Indians during the severity of winter, but trusts that his and their exertions will enable them to raise sufficient for their subsistence. The appointment of Benning Wentworth to the Council approved of. The part of the letter respecting clothing for his regiment was transmitted to the Treasury; their answer is enclosed; also the part relating to medicines for the corps. Refers him, in regard to the college, to the letter addressed to himself and the rest of the committee. Has transmitted to the committee of Council copy of letter soliciting leave to assent to a bill to authorize a lottery to raise money for roads; should his suggestions be approved of, an additional instruction shall be sent. Col. Cor. N. S. vol. 24, p. 61

(Copy in Col. Off. N. S. vol. 2, p. 168.)

April 13, Halifax. Journals of Assembly from 12th March to date in margin.

Journal of Council for same period.

(Both enclosed in Wentworth's letter of 10th December, which see).

April 14, Paris. Monroe to Secretary of State, Philadelphia. Enclosed in Murray's of 26th June, which see.

April 15, Bordeaux. Fenwick, United States consul, to Randolph. Enclosed in Murray's letter of 26th June, which see.

1795.
April 17, Halifax.

April 17, Halifax.

April 17, Halifax.

April 18, Halifax.

April 18 Halifax

1795.
April 23, Whitehall. Secretary of State (Portland) to Prince Edward. His Royal Highness having written to Dundas on military matters, shall only deal with the suggestion for transferring a portion of the Royal Nova Scotia regiment to the 7th Fusiliers; by the conditions on which the men were enlisted, the regiment should remain on its present footing. Congratulates him on the marriage of the Prince of Wales.
Col. Cor. N. S. vol. 30, p. 14
(Copy in Col. Off. N. S. vol. 2, p. 174).

April 23, Whitehall, Secretary of State (Portland) to Wentworth. Refers him to previous letter respecting clothing. Approves of his employment of the "Earl of Moira." Col. Off. N. S. vol. 2, 173

April —. Plan of George's Island. Enclosed in Prince Edward's letter of 19th May, which see.
Plan and section of a field work for Citadel Hill at Halifax. Enclosed in same letter.

May 1, Halifax. Monthly Return of the Royal Nova Scotia regiment. Enclosed in Prince Edward's letter of 13th May, which see.

May 5, Whitehall. King to Wentworth. Sends estimate for 1795.
Col. Off. N. S. vol. 2, p. 177

May 13, Halifax. Prince Edward to Dundas. Forwards return of the Royal Nova Scotia regiment. Col. Cor. N. S. vol. 25, p. 79
Enclosed. Return. 81

May 18, Halifax. Wentworth to Secretary of State (Portland). Transmits the journals of the Council and Assembly and copies of the Acts passed with explanatory observations thereon. Col. Cor. N. S. vol. 24, p. 103

May 19, Halifax. Prince Edward to Dundas. Reports what steps he has taken for the defence of Halifax in accordance with the plan suggested by the Duke of Richmond. Repeats his solicitations for reinforcements, as the militia cannot be relied upon and there is a large number of very disaffected persons in the Province. Col. Cor. N. S. vol. 25, p. 82
Enclosed. 1. Estimate for the south barrack, dated 25th May, subsequent to the date on the covering letter. 90
2. Estimate for fort on Citadel Hill (undated). 92
3. Estimate for erecting a star fort on George's Island, dated 25th May. 94
4. Estimate for north barrack, 17th April. 96
5. Plan of George's Island in Halifax harbour (undated). 98
6. Plan and section of a field work for George's Island in Halifax harbour (undated). 99
7. Plan and section of a field work for Citadel Hill at Halifax (undated). 100
8. General plan of the works on Citadel Hill (undated). 101

May 22, Halifax. Henry Duncan to Wentworth. Enclosed in Wentworth's letter of 28th May, which see.

May 25, London. Rev. A. Brown to Garthshore. Requests he will thank Dundas for the important service he has done him in presenting him with the living of Lochmaben. He will be in pecuniary embarrassment unless government continues his allowance for another year; gives an account of his services in support of his claim. Col. Cor. N. S. vol. 24, p. 241

May 25, Charlottetown Thomas Wright to Mackenzie. Desires an appointment in the surveyors' department in Canada and relates his distressing situation. 245

May 26, Halifax. Wentworth to King. The great assiduity and judgment exerted by Prince Edward in constructing and repairing the fortifications, barracks &c. Encloses an old chart describing the boundary between this Province and the late Province of Massachusetts, or rather the Eastern part thereof, called the territory of Sagadahoc. Solicits pension of £50 per annum for the widow of an officer recommended by Prince Edward. 171

1795.

Enclosed. Copy of chart of Nova Scotia and territory of Sagadahoc. Col. Cor. N. S. vol. 24, p. 177

May 26, Halifax. Petition of Boadicea Goold, widow of the late Arthur Goold, to the Secretary of State (Portland). Prays that a part of the pension of her late husband may be continued to her. Recommended by Prince Edward. Col. Cor. N. S. vol. 30, p. 16

May 28, Halifax. Wentworth to Secretary of State (Portland). Reports the arrival of Capt Cochran of the "Thetis" and Capt. Beresford of the "Hussar" bringing with them the "Prevoyante" and "La Raison," part of a squadron of five sail from Guadaloupe. Col. Cor. N. S. vol. 24, p. 178

Enclosed. Henry Duncan to Wentworth. Admiral Murray's return being hourly expected, requests that the packet may be delayed a day or two, as he may bring news which should be communicated at an early date to His Majesty's Ministers. 180

June 1, Whitehall. Secretary of State (Portland) to Wentworth. The manner in which the session has been conducted is highly acceptable to His Majesty. The attention of Prince Edward and his (Wentworth's) judicious manner of seconding his exertions for defence merit entire approbation. The additional strength sent as well as the increase (he hopes completion) of his (Wentworth's) regiment cannot fail to relieve the militia from extra duties and the public from expense. Has recommended payment of bills drawn for clothing. Col. Cor. N. S. vol. 24, p. 101

(Copy in Col. Off. N. S. vol. 2, p. 177).

June 1, Halifax. Monthly return of St. John's Island Volunteers. Enclosed in Prince Edward's letter of 4th July, which see.

June 1, Halifax. Monthly return of the Royal Nova Scotia regiment. Enclosed in Prince Edward's letter of 20th June, which see.

June 20, Halifax. Prince Edward to Dundas. Forwards return of the Royal Nova Scotia regiment for May. Col. Cor. N. S. vol. 25, p. 102

Enclosed. Return. 104

June 22, "Argonant." Capt. Ball to Admiral Murray. Transmits letter from the American Ambassador at Paris to the American Secretary of State. Enclosed in Murray's letter of 26th June which see.

June 24, Halifax. Wentworth to Secretary of State (Portland). Acknowledges receipt of dispatch of 9th April. Has conveyed His Grace's letter to the trustees of the college. Has drawn on the Treasury for £500 sterling for payment of provisions issued to the militia. Transmits an Act to permit of a lottery. The armed snow "Earl of Moira" to cruise down the east coast of the province to drive off smugglers and protect the extensive fisheries. Col. Cor. N. S. vol. 24, p. 182

June 24, Halifax. Vice Admiral Murray to Dundas. Groundless complaints are made against him and his officers by the United States Secretary of State. Encloses copy of letter from the United States Ambassador in France. The consuls at Philadelpha and Baltimore most diligent in conveying to him material intelligence; Sir John Temple at New York has been of no service. He (Murray) would have been arrested had he landed at New York. Col. Cor. N. S. vol. 25, p. 150

June 26, Halifax. Same to the same. Encloses five letters. 152

1. John Jay to Monroe, United States Ambassador in Paris, 19th February. Sends letter by Trumbull, his Secretary, who will acquaint him (Monroe) with particulars concerning the treaty which, though signed, is not yet ratified. 154

2. Benjamin Hichborne, of Massachusetts, to Monroe. Communicates particulars of the late treaty between Great Britain and the United States, which he has learned from Trumbull. 31st March. 156

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3. Monroe to Secretary of State, Philadelphia, 14th April, respecting the treaty between Great Britain and the United States and the various parties in France. Col. Cor. N. S. vol. 25, p. 158

4. Fenwick, Consul at Bordeaux, to Randolph, 15th April. Gives an account of the state of affairs in France and particulars of the commerce carried on between the United States and France. 167

5. Capt. Ball to Admiral Murray, 22nd June. Transmits letter from the United States Ambassador at Paris to the Secretary of State and gives his reasons for opening the same. 169

June 26, Halifax. Prince Edward to Secretary of State (Portland). Has begun the erection of temporary works and the repair of such old ones as are necessary for the immediate defence of the town and harbour. Urges that his requisition for troops be complied with to its full extent. Col. Cor. N. S. vol. 30, p. 18

June 26, Halifax. Same to Dundas. Is glad that his requisition for reinforcements will be in part complied with. Would engage to have all the works and outposts put into complete order by the end of 1796, if supplied with additional troops. Col. Cor. N. S. vol. 25, p. 105

July 1, Whitehall. Secretary of State (Portland) to Wentworth. The Acts passed seem well calculated to promote the safety and welfare of the province. Is glad that the bill respecting the property of married women was so well digested. The attention to the militia is highly commendable. Participates with him, in the satifaction at the capture of the "Prevoyante" and "La Raison." Sends copy of letters from the Treasury respecting the clothing complained of. Col. Off. N. S. vol. 2, p. 179

July 1, Halifax. Monthly return enclosed in Prince Edward's letter of 4th July, which see.

July 3, Halifax. Wentworth and Governors of King's College to the Secretary of State (Portland). Acknowledge receipt of letter dated in April, that the King grants their request for a further sum of £1,500 towards the completion of the college. Col. Cor. N. S. vol. 24, p. 186

July 4, Halifax. Prince Edward to the same. Has sent Lieut. Bartlett of the Royal Engineers to the Island of St. John to carry into effect the orders received from the Master General of the Ordnance. Should the Royal Nova Scotia regiment be reduced at the peace, a small bounty might be offered to such men as would voluntarily continue to serve His Majesty. Col. Cor. N. S. vol. 30, p. 22

July 14, Halifax. Same to Dundas. Requests that at least 300 more draughts may be sent off to arrive by the beginning of autumn. Respecting the expenditure necessary for carrying on the new work, mode of payment, &c. Col. Cor. N. S. vol. 25, p. 109

July 4, Halifax. Same to the same. Forwards returns of the volunteers of St. John Island and the Royal Nova Scotia regiment. 113

Enclosed. Monthly return, dated 1st June, of the volunteers of St. John's Island. 115

Monthly return, dated 1st July, of the Royal Nova Scotia regiment. 117

July 5, Halifax. Wentworth to Secretary of State (Portland). The fortifications and buildings necessary for the defence of the province are continued with unremittting assiduity and judgment by Prince Edward. On the arrival of the troops, the militia who are urgently needed on their farms can be dispensed with. Vice Admiral Murray intends applying for two companies of the Royal Nova Scotia regiment to act as marines. Col. Cor. N. S. vol. 24, p. 188

July 5, Halifax. Same to the same. Reports that a small vessel belonging to and bound for Halifax from Bahama, laden with fruit, turtles and hides, put into Boston about nine days ago: surmising that the vessel was a Bermuda privateer, an outrageous assembly of men collected among whom were many French, and violently destroyed the cargo and burned the vessel. 191

1795.
July 18, Halifax. Wentworth to Secretary of State (Portland.) Entreats his favour consideration and protection, and that he would recommend His Maj to establish the Royal Nova Scotia regiment. Lieut. Col. Kearny has months leave of absence to go to England and will be happy to every information on the subject of the regiment.
Col. Cor. N. S. vol. 24, p.

July 18, Halifax. Same to King. Asks his support in the proposal to put the R Nova Scotia regiment on the establishment. Concerning Barc pension. Refers to his recommendation to contract with Hartshorn Tremain's mills at Dartmouth, for flour; of the flour sent from Que to the garrison, 200 barrels were returned sour and unwholes Encloses applications from owners and masters of vessels for a con to Quebec; has sent the "Earl of Moira," which leaves a frigate t better employed. Sends plan that throws light on the controversy specting the boundaries betweeen New England and New Brunswick
Enclosed. Application from owners and masters of vessels.

July 18, Halifax. Two plans of Passamaquoddy Bay, &c. A. & W. I. vol.

Prince Edward to Secretary of State (Portland). Recommends L Col. Kearney, who is leaving for England to solicit the establishmen the Nova Scotia regiment. Considers that the adoption of the mea would be of great benefit to the country politically.
Col. Cor. N. S. vol. 30, p.

July 18, Halifax. Same to Dundas. Has drawn bills on the Treasury on account of barrack and fortifications now erecting. No dependence is to be pl on the militia, who have all left to get in their hay and corn harvest
Col. Cor. N. S. vol. 25, p.

August 1, Halifax. Monthly return. Enclosed in Prince Edward's letter of 30th Aug which see.

August 5, Whitehall. Secretary of State (Portland) to Prince Edward. His satisfactio the state of security in which he (Prince Edward) has placed his dist His letter respecting reinforcements transmitted to Dundas. Sh the Royal Nova Scotia regiment be reduced, volunteers from it w be an acquisition to the regular troops. Col. Cor. N. S. vol. 30, p.
(Copy in Col. Off. N. S. vol. 2, p. 181.)

August 5, Whitehall. Same to the trustees of the College. In answer to their letter the of £500 will be put on the estimates for the ensuing year.
Col. Cor. N. S. vol. 24, p.
(Copy in Col. Off. N. S. vol. 2, p. 182.)

August 5, Whitehall. Secretary of State (Portland) to Wentworth. The services of town and country militia in erecting fortifications are highly c mendable. His satisfaction at the passing of an efficient militia has laid the lottery bill before the Council. Is pleased with the servi of the "Earl of Moira," which he has notified to the Admiralty. province will benefit by the exemption of the militia during harv Should any of his regiment be required on board the fleet, only vol teers are to be taken. Col. Cor. N. S. vol. 24, p.
(Copy in Col. Off. N. S. vol 2, p. 183.)

August 9, Petersham. Mackenzie, Lord Privy Seal to ——— Entreats his aid for Thom Wright, whose case is most pitiable. Col. Cor. N. S. vol. 24, p.
Enclosed. Extracts from letter of Thomas Wright, dated in Charlo town, 25th May, 1795.

August 17, Halifax. (*See* also p. 245.)
Blowers to Admiral Murray. Enclosed in Murray's letter of 2 August, which see.

August 20, "Resolution," Halifax. Admiral Murray to Dundas. French privateers, fitted out in harbo of the United States, are greatly on the increase. It would be an vantage if prize wine and brandy were admitted into Quebec fr Halifax. Encloses papers relative to the matter. Col. Cor. N. S. vol 25, p.

Enclosed. Copy of opinion in 1790 to the Commissioners of Customs respecting the importation of goods from one British Colony to another. Col. Cor. N. S. vol. 25, p. 173

Blowers to Murray, 17th August. Explains the various Acts relating to the importation of merchandise into the Colonies. 175

Chief Justice Strange to King. Recommends Stewart to fill the office of Chief Justice in Cape Breton, vacant by the death of Gibbons. The Rev. Dr. Brown acknowledges the civilities shown to him by King; should he (King) at any time require information about Nova Scotia, Dr. Brown is both able and willing to impart it. Desires to make a tour of the States, and asks leave to do so. Encloses letters from Osgoode. Col. Cor. N. S. vol. 24, p. 251

Secretary of State (Portland) to Prince Edward. His recommendation to put the Royal Nova Scotia regiment on the establishment has been referred to the Duke of York; his (Portland's) high opinion of the corps. Col. Cor. N. S. vol 30, p. 32

(Copy in Col. Off. N. S. vol. 2, p. 185.)

Secretary of State (Portland) to Wentworth. In answer to his dispatch, sends copy of letter of this date to Prince Edward on the subject of it. Col. Off. N. S. vol. 2, p. 186

Wentworth to Secretary of State (Portland). The Royal Nova Scotia regiment greatly in want of clothing. The "Earl of Moira" is of great assistance to Col. Le Maitre in quelling disturbances in the Bay of Chaleurs; she is now preparing to pursue two French-American privateers which have captured several small vessels on the western coasts. Col. Cor. N. S. vol. 24, p. 200

Prince Edward to Dundas. But little progress has been made with the public works, owing to the lack of reinforcements and the absence of the militia. Suggests the expediency of sending some of the corps composed of French emigrant Royalists to Canada. Has no hope of being able to complete his regiment by levies in Newfoundland, as there is much difficulty in procuring recruits for the new provincial corps in that country.

Col. Cor. N. S. vol. 25, p. 124

Same to the same. Forwards return of the Royal Nova Scotia regiment for July. 120

Enclosed. Return. 122

Prince Edward to the Secretary of State (Portland). Requests that passports may be sent to allow M. du Buc de Marentille, his wife and sister and the Marquis du Barrail, French Royalists, to reside in Lower Canada. Col. Cor. N. S. vol. 30. p. 34

Lieut. Col. Kearney to the same. Has been sent over to England by the Royal Nova Scotia regiment to procure its establishment: by the rapid promotion in the regular service the officers in the regiment suffer much mortification and have no prospect of relief unless placed in the line. Trusts His Grace may favour their request.

Col. Cor. N. S. vol. 24, p. 249

1, Monthly return. Enclosed in Prince Edward's letter of 27th October, which see.

Monthly returns (two). Enclosed in Prince Edward's letter of 27th October, which see.

Secretary of State (Portland) to Wentworth. Hopes the clothing for the regiment has arrived; should a second accident have happened, he is authorized to procure clothing on the spot. He has transmitted to the Admiralty an account of the services of the "Earl of Moira" in suppressing disturbances in consequence of a dispute between the Indians and fishermen. Col. Cor. N. S. vol. 24, p. 206.

(Copy in Col. Off. N. S. vol. 2, p. 187).

1795.
October 8, Whitehall. Secretary of State (Portland) to Prince Edward. In reply to a request for leave to M. du Buc de Marentille, his wife and sister and the Marquis du Barail to reside in Lower Canada, a strong fleet under Abercromby has been sent to reduce Guadaloupe, so that these gentlemen and the family may secure a safe return to the island. Abercromby has been informed of the matter. Col. Cor. N. S. vol. 30, p. 38
(Copy in Col. Off. N. S. vol. 2, p. 188).

October 26, Halifax. Return of the establishment of both battalions of the Royal Fusiliers. Enclosed in Prince Edward's letter of 27th October, which see.

October 27, Halifax. Prince Edward to Dundas. The seven transports arrived with the draughts for his regiment; the number is far short of that required and many of the men most inefficient. Capt. Smyth, who is leaving for England, would be the fittest person to take charge of any further draughts which it may be possible to send. It would be advisable to send the invalids from the West Indies to Nova Scotia, where they would recover and be of use to the garrison. Col. Cor. N. S. vol. 25, p. 125

October 27, Halifax. Same to the same. Forwards returns of the Royal Nova Scotia regiment for August and September. 131
Enclosed. Returns. 133 134

October 27, Halifax. Prince Edward to Dundas. Forwards return for September of the volunteers of St. John's Island, and that of the Royal Nova Scotia regiment for October. 135
Enclosed. Return of volunteers of St. John's Island. 137
Return 26th October of the Royal Nova Scotia regiment.
Col. Cor. N. S. vol. 30, p. 46
(See also Col. Cor. N. S., vol. 25, pp. 130 and 139.)
Return of the establishment of both battallions of the Royal Fusiliers.
Col. Cor. N. S. vol. 30, p. 47
(See also Col. Cor. N. S., vol. 25, p. 129.)

October 27, Halifax. Prince Edward to Secretary of State (Portland.) Has had no communication from Dundas or the Board of Ordnance on the subject of the defences of the province. The batteries and redoubts have been repaired and great progress made with all the works with the exception of the fort on Citadel Hill, to which their means have been inadequate. Trusts a reinforcement may arrive by the end of April, the draughts lately arrived consisted of the rawest recruits. It would be for the good of the service if New Brunswick were united to Nova Scotia for military purposes. Col. Cor. N. S. vol. 30, p. 40

October 28, Halifax. Wentworth to the same. The clothing of the Royal Nova Scotia regiment having been captured by the enemy and the succeeding shipments not arriving, it was necessary to purchase. Has drawn bills of exchange to the amount of £522.5.4 sterling on the treasury.
Col. Cor. N. S. vol. 24, p. 204

October 28, Halifax. Same to King. Introduces Capt. Smyth, aide-de-camp to Prince Edward. Prince Edward feels much hurt at General Prescott being appointed to command him, and says it is "singularly hard and mortifying" that after so many years service in this country, Prescott should be put over him. Requests to have New Brunswick reunited to his command. The recruits for the Fusiliers and the 2nd battalion, are the most miserable wretches ever seen. Prince Edward is exchanging them into the Nova Scotia regiment under the pretence of transfers; this conduct prevents recruiting and is contrary to established rule. The Prince cannot resist the temptation of taking a fine man into his regiment, nor a fine horse into his stable at any rate whatsoever. 208

October 31, "Argonaut." Capt. Ball to Wentworth. Enclosed in Wentworth's of 8th November, which see.

November 1. Monthly return of volunteers of St. John's Island. Enclosed in Prince Edward's letter of 27th of December, which see.

1795.
ember 5, ifax. Proclamation forbidding the export of wheat, &c. Enclosed in Wentworth's letter of 8th November, which see.

ember 7, ifax. Ogilvie to Secretary of State (Portland). Not having received commands on the subject of the distribution of the St. Pierre prize money forwards a triplicate of his letter of 26th December last, with the enclosures. Col. Cor. N. S. vol. 24, p. 221

ember 7, ifax. Chief Justice Strange to King. Thanks for his kindness respecting proposed removal to Upper Canada. Regrets to hear of his illness. Mentions again his desire to visit the States next winter. 253

ember 8, ifax. Wentworth to Secretary of State (Portland.) Dispatches received. The arrangement made to diminish the number of militia required from the interior country, and calling more from the sea coast regiments has been of the greatest use during the harvest season. The "Earl of Moira" is usefully employed in protecting the coasting trade. The high price given for provisions of all kinds in the United States may cause a scarcity in the province, therefore he had issued a proclamation forbidding the export of wheat, pork, &c., except by license. Should any detachment of the Royal Nova Scotia regiment serve on board ships of war, such service shall be temporary and consist of volunteers only. The prayer of the memorial of Rev. Mr. Jones, though approved by Dundas, has not been carried into effect; again recommends the case for favourable consideration. 212

Enclosed. Proclamation forbidding the exportation of wheat and other grain, flour, pease, beef, pork and other provisions until the first day of March next, unless by license. 217

Capt. A. J. Ball, of the "Argonaut," to Wentworth. Requests that the packet be detained until the 8th November, Vice Admiral Murray being expected, so that on his arrival he may have an early opportunity to forward his dispatches to the Admiralty. 219

ember 8, ifax. Prince Edward to Portland (private). Recommends that Father Jones may have a small stipend allowed him from Government. He is very useful in keeping the fishermen in order.
Col. Cor. N. S. vol. 30, p. 51

ember 1, ifax. Monthly return of the Royal Nova Scotia regiment. Enclosed in Prince Edward's letter of 27th December, which see.

ember 3, itehall. Secretary of State (Portland) to Prince Edward. Dispatch with enclosures received; has transmitted to the Duke of York, to Dundas, and to the Ordnance such parts of his dispatch as are under their respective departments. Animadversion is due to the officers who passed such recruits for the Fusiliers as are complained of. Cannot understaud why the Royal Nova Scotia regiment is not yet completed, steps should be taken to do so; draughts or transfers are not to be taken from that regiment, as its services are strictly confined to His Majesty's North American dominions. Col. Cor. N. S. vol. 30, p. 48
(Copy in Col. Off. N. S., vol. 2, p. 191.)

ember 3, itehall. Secretary of State (Portland) to Wentworth. Sends confirmation of the lottery Act. Col. Off. N. S. vol 2, p. 190

ember 8, thampton. Bayard to Secretary of State (Portland). Encloses a memorial sent to him by his son, Samuel Vetch Bayard, vouched for by Wentworth.
Col. Cor. N. S. vol. 24, p. 255

ember 10, ifax. Wentworth to Secretary of State (Portland). Transmits the proceedings of the General Assembly of the province, with observations; the prosperous and satisfactory state of the province.
Col. Cor. N. S. vol. 26, p. 3

Enclosed. Journal of the Legislative Council from 12th March to 13th April, 1795. 9

Journal of Assembly for the same period. 34

1795.
December 15, Halifax. Wentworth to Vesey, secretary to Prince Edward. Enclosed in Wentworth's letter to King, of 17th April, 1796.

December 15, Ordnance. Crew to Stratton. The Master General and Board of Ordnance approve of temporary works, &c. Enclosed in Prince Edward's letter of 23rd April, 1796.

December 24, Halifax. Wentworth to Secretary of State (Portland). The "Earl of Moira" by cruising on the coast, has enabled the small vessels to get to their respective markets and return in safety. The "Favourite" Maxwell, master, with a valuable cargo, being discovered at anchor near Cape Sable by the "Moira"; Croskill, by skilful exertions extricated the ship and convoyed her to the offing at Halifax on her way to Quebec, where she has since arrived. Has heard that the "Normande" and "Trajan," French sloops armed *en flute*, were at New York preparing to proceed to New London; has communicated this information to Capt. Home.
Col. Cor. N. S. vol. 26, p. 57

December 26, Halifax. Same to the same. Transmits memorial from the merchants of the town, respecting their commercial intercourse with Canada and the other British Colonies. Is convinced that considerable public benefit would result from due encouragement to accommodate the commercial connection between these provinces, and thus Nova Scotia would become the connecting depôt of Canada with Great Britain. 60

Enclosed. Memorial of the merchants of Nova Scotia to Portland. 63

December 27, Halifax. Prince Edward to Dundas. Forwards return of the Royal Nova Scotia Regiment for November and that of the volunteers of St. John's Island for October. Col. Cor. N. S. vol. 25, p. 140

Enclosed. Monthly return of the Royal Nova Scotia Regiment. 142

The same for volunteers of St. John's Island. 143

December 27, Halifax. Prince Edward to Secretary of State (Portland). Thanks for kind attention respecting the French Royalists; wishes he had known of the expedition to the West Indies in time to have offered his services. Sends abstract of accounts to the Treasury and renews his request for reinforcements to be sent early in the spring. Urgent need of provisions. Col. Cor. N. S. vol. 30, p. 55

1796.
January 6, Whitehall. Secretary of State (Portland) to Prince Edward. Letter regarding Father Jones received; he ought to receive a competent provision from the Roman Catholic Bishop of Quebec; has written Dorchester on the subject. 53

(Copy in Col. Off. N. S. vol. 2, p. 194.)

January 6, Whitehall. Secretary of State (Portland) to Wentworth. Dispatches received; has sent copy of No. 18 to the Treasury. The good conduct of the militia deserves commendation; hopes that the progress of the works will admit of their numbers being reduced. The services of Croskill, of the "Earl of Moira," have been of great utility. His proclamation prohibiting the export of corn and provisions except to British markets is proper. The men of his regiment are not to be draughted, transferred or exchanged into any other corps on any pretence. The case of Father Jones recommended to Dorchester. Col. Cor. N. S. vol. 26, p. 1

(Copy in Col. Off. N. S. vol. 2, p. 195.)

January 8, Whitehall. Secretary of State (Portland) to Ogilvie. His Majesty approves of the distribution of the money arising from the provisions &c., taken at St. Pierre. Col. Off. N. S. vol. 2, p. 197

January —, Whitehall. Same to Wentworth. Leave of absence to be granted to Chief Justice Strange. 199

February 8, Whitehall. Same to the same. Acts passed appear calculated to promote the prosperity of the Province; refers him to previous letter on the lottery Act. Is glad to find the "Earl of Moira" of such service. Has transmitted letter and memorial to the Committee of the Privy Council.
Col. Cor. N. S. vol. 26, p. 69

1796.

(Copy in Col. Off. N. S. vol. 2, p. 200.)

ebruary 8, Whitehall. Secretary of State (Portland) to Prince Edward. His application to be transferred to the West Indies to engage in active service laid before the King. Parts of the dispatch sent to the respective departments. The plans and estimate of the works on Citadel hill and George's Island should be sent direct to the Ordnance so as to be included in their estimates. Col. Cor. N. S. vol. 30, p. 59

(Copy in Col. Off. N. S. vol. 2, p. 199.)

larch 3, Halifax. Wentworth's speech to the legislature. Enclosed in Wentworth's letter of 17th April, which see.

larch 4. Halifax. Addresses of Council and Assembly. Enclosed in Wentworth's letter of 17th April, which see.

larch 7. Whitehall. Secretary of State (Portland) to Wentworth. Sends copy of letter to the Governor of New Brunswick to appoint an agent to bring forward information before the commissioners under the 5th article of the treaty of 1783. (The article relating to the boundaries is No. 2.) He is to furnish the agent with information, records, &c., respecting the boundary. Col. Cor. N. S. vol. 26, p. 71

(Copy in Col. Off. N. S., vol. 2, p. 201, where the day of the month is supplied.)

pril 11, Halifax. Journal &c., of the Council and Assembly, from 3rd March to date in margin. Enclosed in Wentworth's letter of 22nd December, which see.

pril 16, Halifax. Prince Edward to Secretary of State (Portland). Letters of 3rd December and 6th January only arrived on the 11th April. Recruiting in Newfoundland and elsewhere attended with very little success. Men have voluntarily exchanged from the Royal Nova Scotia regiment to other corps, no man has been forcibly draughted or transferred; to avoid further misrepresentation any further applications for exchange will meet with a refusal. There is no chance of completing the corps in a reasonable space of time, unless a higher bounty is offered or some other means devised for increasing its numbers; its services are invaluable; will give the corps every protection. Col. Cor. N. S., vol. 30, p. 61

pril 16, Halifax. Same to Dundas. Transmits return. Col. Cor. N. S. vol. 31, p. 1

pril 16, Halifax. Wentworth to Secretary of State (Portland). Dispatches received, Prince Edward has promised not to take any more of the men belonging to the Royal Nova Scotia regiment; he (Wentworth) expects soon to complete it. The "Earl of Moira," being refitted, sails on the 18th to cruise two or three days in Boston Bay for intelligence, afterward from Cape Sable to Canso to protect the fisheries and cover the daily expected arrivals of several valuable vessels from Europe and the West Indies. Col. Cor. N. S. vol. 26, p. 73

Enclosed. State of the Royal Nova Scotia regiment. 76

pril 16, Halifax. Wentworth to King. *Gazette* received containing news of the birth of a daughter to the Princess of Wales. 77

pril 17, Halifax. Same to the same. Letter of 7th December arrived on the 11th April after a passage of 84 days to New York; the vessel could have reached Halifax in 30 to 35 days and the letters have been delivered in New York a week later; dispatches to Quebec would have been delivered seven weeks earlier. Prince Edward wishes the packages for him sent by vessels to Halifax. He (Wentworth) had objected to men of the Royal Nova Scotia regiment being discharged by a medical board, as with the exception of four they are all able for duty; the transfer to the 7th regiment has been stopped; hopes now to complete the Royal Nova Scotia regiment; the Prince has given up his idea of incorporating men from it into the 7th Fusiliers; the good qualities of the regiment. Improvement in the province; hopes the prohibition to granting lands may soon

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be removed. The importance of having a good line established between New Brunswick and Massachusetts Bay; the excellent mast timber that may be thus obtained.

Enclosed. Wentworth to Vesey (Secretary to Prince Edward), 15th December. Refuses after full consideration his consent to the transfer of men from the Royal Nova Scotia regiment to the 7th Fusiliers pointing out the evil results &c.

Details of duty done at Halifax and the outposts in February.

Letter and enclosures in A. & W. I. vol. 598

April, 17, Halifax. Wentworth to Secretary of State (Portland). The General Assembly met on the 3rd of March, and was prorogued on the 11th of April. Transmits his speech to both Houses with their answers. The embargo laid on the exportation of flour from Canada suddenly raised the price, fuel has also been scarce and dear. The French prisoners from Miquelon have been afforded increased aid to preserve them from suffering; their good behaviour fully justifies this relief. The Indians have been kept from starving by the gracious charity of His Majesty; several families have applied themselves to agriculture; it is to be hoped that their necessities will gradually lead them into habits of civilization and enable them to provide for their own subsistence and clothing.

Col. Cor. N. S. vol. 26, p. 77

Enclosed. Wentworth's speech, 3rd March, to the Council and Assembly. 82

Address of Council 4th March. 84

Address of Assembly, same date. 86

Wentworth's speech, 11th April. 88

(The speeches and addresses are extracted from the journals).

April 23, Halifax. Wentworth to King. Letter with estimate for 1796, received. 90

April 23, Halifax. Prince Edward to Secretary of State (Portland). Should fresh active operations be contemplated in the West Indies, offers his services. Desires to know whether the expenses incurred on account of the works now in progress are to be paid by the Board of Ordnance. Encloses letter from the Board to Major Stratton, Commanding Royal Engineer; it would have been more regular in point of military etiquette if the Master General had written direct to him (Prince Edward).

Col. Cor. N. S. vol. 30. p. 65

Enclosed Crew to Major Stratton, 15th December, 1795. The Master General and Board of Ordnance approve of the temporary works recommended for the defence of Halifax and desire that the same be carried into execution. 69

April 25, Halifax. Strange to King. In taking advantage of his leave of absence will proceed by the States to secure a neutral bottom; offers his services.

A. & W. I. vol. 598

April 25, Halifax. Wentworth to Secretary of State (Portland). Has received letter of the 7th March, with the several enclosures relating to the settlement of the boundary line between the United States and the province of New Brunswick. Will render every assistance in his power in this business, the proper line includes some valuable reservations of timber fit for masts for the Navy. Col. Barclay will send the dispatches by the "Tartar" frigate.

Col Cor. N. S. vol. 26, p. 92

April 28, Halifax. Same to King. Will carry out his desires stated in letter of 7th March. His disappointment at the money promised to Windsor College being omitted from the estimates, as expenses had been incurred on the faith of the promise. Again urges the repeal of the instructions prohibiting the granting of lands, as there is no prospect of sales. Asks for 50,000 or 60,000 acres; had lost double that quantity in New Hampshire. Finds an obstruction to shipping horses in the United States for the

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expeditions to the West Indies; can ship 120 horses from Nova Scotia suitable for that service. Strongly recommends Putnam to be appointed deputy barrack master general for the district. The mortality among the convalescents, &c., in the West Indies, in consequence of them not being sent to Nova Scotia. A. & W. I. vol. 598

y 8, ifax. Ogilvie to Secretary of State (Portland). Has directed the distribution of the money arising from the sale of the provisions &c., captured at St. Pierre and Miquelon to be made according to the plan submitted and approved of. Encloses and recommends a memorial from Clarke, commissary of prisoners of war; also recommends an allowance to Sergeant McIntosh. These accounts will close all his (Ogilvie's) disbursements in consequence of the expedition. Col. Cor. N. S. vol 26, p. 97

Enclosed. Memorial, 5th May, of James Clarke for an allowance for his services as acting commissary of French prisoners. 99

Certificate from Major Thorne that William McIntosh quarter-master sergeant of the 4th regiment, acted as commissary of the provision and fuel department from 11th June, 1793, to 11th September, 1794, for which he received no payment. 101

y 19, ifax. Prince Edward to Dundas. Transmits return. Col. Cor. N. S. vol. 31, p. 7

Enclosed. Return.

y 21, ifax. Wentworth to King. Encloses memorial from Acadians requesting that a French refugee clergyman may be sent to them for whom they will provide a decent maintenance; speaks highly of their loyalty. The "Assistance" from New York, has sent in a cargo ship bound from France to New York with French Royalists and Irish emigrants on board, trusts he will be able to persuade the latter to settle in the province. The French emigrants are so poor they must have some aid, if they can be made as useful as those from Miquelon they will be a treasure to the community worth purchasing. The "Earl of Moira" is cruising in the Gulph of St. Lawrence to protect the fisheries; as she is well armed and manned and a fair sailer, a stranger would find it difficult to escape her. She will take a company of the 4th regiment to Quebec and save upwards of 600 guineas for transport. Hopes that a French priest may soon be sent. Col. Cor. N. S. vol. 26, p. 102

Enclosed. Memorial of Amable Doucet and other Acadians to Wentworth requesting his help to obtain the services of a French Royalist clergyman. 106

e 1, itehall. Secretary of State (Portland) to Wentworth. Has no doubt that Prince Edward will during the harvest dispense with the services of the militia in completing the fortifications. His pleasure at the manner in which the business of last session was conducted. His Majesty relies with confidence on his exertions towards settling the boundary. 95

(Copy in Col. Off. N. S. vol. 2, p. 202.)

e 3, aica. Earl of Balcarres to Wentworth. Enclosed in Wentworth's letter of 23rd July, which see. An extract of letter of same date to Prince Edward, of the same nature with an additional paragraph, enclosed in Prince Edward's letter of 15th August.

e 6, itehall. Secretary of State (Portland) to Prince Edward. The King is highly pleased with his offer of service and with his attention to the details of the district under his command. Sends copy of answer from the Ordnance respecting the drawing of bills for service which are to be discharged by the Board of Ordnance. Col. Cor. N. S. vol. 30, p. 71

(Copy in Col. Off. N. S. vol. 2, p. 204.)

e 13, itehall. Secretary of State (Portland) to Wentworth. Learns from Lord Balcarres, Lieut. Governor of Jamaica, that it is necessary to send from that island about 800 or 900 maroons, who may be ordered to Halifax. This is not His Majesty's wish and orders have been sent to Balcarres

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accordingly, but as these people may arrive before the dispatch can reach, he is to provide for their subsistence, &c., in a manner not inconsistent with the safety of the inhabitants. Has not time, owing to the immediate departure of the packet, to prescribe further arrangements. Col. Cor. N. S. vol. 26, p. 108

(Copy in Col. Off. N. S. vol. 2, p. 206).

July 9. Lieut. Pernett to Lieut. Col. Kearney.

July 13, Halifax. Bulkeley to Crosskill.

July 14, Halifax. Crosskill to Wentworth. These three papers were enclosed in Crosskill's memorial of 23rd July, which see.

July 15, Whitehall. Secretary of State (Portland) to Wentworth. The maroons written about are probably now on their voyage. It has been judged proper that they should, for the present, be permitted to remain in Nova Scotia, to be employed (if possible) either as they wish, or in some other way for the public benefit, or at least in such a way as to avoid danger. Leaves it to him (Wentworth) to make arrangements for their employment which may enable them to support themselves; sends correspondence with Balcarres to enable him to judge of the circumstances. The young men might be engaged on the work of fortifying. He is to draw on the Treasury for expenses, sending vouchers, &c.; to try to make arrangements for these expenses to be repaid by Jamaica. Thinks the Sierra Leone Company would be inclined to take them as settlers, were they sent in small parties. Col. Cor. N. S. vol. 26, p. 110

(Copy in Col. Off. N. S. vol. 2, p. 208.)

July 16, Halifax. Testimony in favour of Crosskill.

July 17, Halifax. Smyth, aide-de-camp to Prince Edward, to Crosskill.

July 18, Halifax. Wentworth to Crosskill. These three papers were enclosed in Crosskill's memorial of 23rd July, which see.

July 22. James Clarke to Brook Watson. Thanks him for his friendly letter to Wentworth, who would readily have recommended him to Lord Grenville; but Moore, the consul at Rhode Island, is permitted by the Government of the States to remain as agent. Col. Cor. N. S. vol. 26, p. 204

July 23, Halifax. Wentworth to Secretary of State (Portland.) Sends copy of a letter from Balcarres, Lieut. Governor of Jamaica; all the maroons have arrived in good health; they will remain on board the transports till His Majesty's pleasure is received. The French from Miquelon, fearing the cruellest punishment should they hereafter fall into the hands of their countrymen, desire to return to France in a cartel ship expected next month. Has agreed to this request, as their usefulness can no longer be relied upon; their removal is much regretted, as they have been very useful both in the fisheries and in fitting out vessels for the merchants. The "Earl of Moira" seized and brought into Halifax a small sloop from Boston, carrying on a contraband trade; she has just sailed to convoy a mast-ship and three transports to Quebec. Has drawn for lodging money for the Royal Nova Scotia regiment upon the Lords of the Treasury. Vice-Admiral Murray attacked with a severe paralytic stroke, but is now out of danger. 114

Enclosed. Balcarres to Wentworth, 3rd June. The General Assembly of Jamaica having decided that the maroons should leave the island, and there being a great scarcity of provisions at Port Royal, he is under the necessity of sending them to some other port, and requests they may be permitted to anchor at Halifax till the King's pleasure is known. Recommends Quarrell, member of Assembly, who accompanies them. 115

1796.

Return of lodging money due to the officers of the staff of the Royal Nova Scotia regiment, between the 13th April and 12th November, 1793. Col. Cor. N. S. vol. 26, p. 120

July 23, Halifax. Memorial of Crosskill, master of the "Earl of Moira," to the Secretary of State (Portland). Concerning his dismissal from the command of the vessel and detailing his services. 206

Enclosed. Lieut. Pernette to Kearney, 9th July. Reports the desertion of five men of his detachment from on board the "Earl of Moira." The captain and mate set the watches and exercised sole authority; trusts he will not, under these circumstances, be charged with neglect of duty. 214

Bulkeley to Crosskill, 13th July. Is commanded by Wentworth to send copy of a letter from Pernette to Kearney, of the Royal Nova Scotia regiment, in order that he (Crosskill) may explain his conduct upon the occasion alluded to. 212

Crosskill to Wentworth, 14th July. Gives his account of the desertion of the five men from on board the "Earl of Moira." 216

Smyth, aide-de-camp to Prince Edward, to Crosskill, 17th July. The motives which induced the Prince to give his opinion to Wentworth that the command of the "Earl of Moira" should be changed, were, that proper discipline could not be kept on board a vessel fitted for war unless commanded by a commissioned officer able to exercise martial law. 222

Wentworth to Crosskill, 18th July. Notifying the appointment of Fawson to command the "Earl of Moira," and expressing approbation of Crosskill's conduct whilst in command. 224

Testimony of the officers and crew, 16th July, in favour of Crosskill whilst in command of the "Earl of Moira." 226

July 24, Halifax. Wentworth to King. The critical state of Admiral Murray's health; his high character. Should a successor be appointed, asks that he (Wentworth) may be recommended as a fit person to be consulted. The master of the "Tartar" has brought back his vessel; 20 of the crew were brought to Halifax by the "Earl of Moira," part go by the "Princess Royal," and the rest will assist to navigate a mast ship to Plymouth. Arrival of maroons from Jamaica who are not yet landed; they will make useful labourers. The Chief Justice will report the state of the province. Warrant to issue letters of marque is much wanted. A. & W. I, vol. 598

July 24, Halifax. Prince Edward to Dundas. Enclosing monthly return. Col. Cor. N.S. vol. 31, p. 10

Enclosed. Return. 12

July 25, Halifax. Wentworth to Secretary of State (Portland). Has arranged with Prince Edward to relieve the maroons from their confinement on board ship and employ them voluntarily as labourers on the fortifications at nine pence per day, provisions, lodging and clothing being found them. Col. Cor. N.S. vol. 26. p. 122

August 3, Whitehall. Secretary of State (Portland) to Ogilvie. From his correctness, etc., leaves it to himself to settle what allowance should be made to Clarke and McIntosh for their respective services. Col. Off. N.S. vol. 2, p. 212

August 13, Halifax. Wentworth to Secretary of State (Portland). Dispatches received; is happy that the measures taken for the comfort of the maroons have met with His Majesty's approval. Disease has broken out on board the "Dover" transport; she is now being purified and is to be sent for the accommodation of Dorchester and family, who were shipwrecked on the island of Anticosti. Describes the settlements bought for the maroons, and trusts to have them all settled by Michaelmas. Col. Cor. N.S. vol. 26, p. 126

1796.

Enclosed. Memorandum of sundry articles required to be imported from England for the use of the maroons.

Col. Cor. N. S. vol. 26, p. 122

August 15, Halifax. Prince Edward to Secretary of State (Portland). Will close his accounts with the Treasury, which he trusts may be found satisfactory, and in future the storekeeper will call on the Board of Ordnance for all expenses connected with the new works. Is making every exertion to defend the harbour in case of attack. Is sending home the invalids of his regiment by the "Hussar," with a particular report of their condition to prevent them when discharged from re-entering as sound men. Advises that the convalescents from the Leeward and Windward islands may be sent to Halifax in the month of May every year; the climate would recruit their health, and their services during the summer months would be of great advantage; at Bermuda fresh meat and vegetables cannot be procured in sufficient quantity. Reports the arrival of the maroons; a part of them employed on the new works on Citadel Hill.

Col. Cor. N.S. vol. 30, p. 73

Enclosed. Extract, 3rd June, from letter from Balcarres to Prince Edward. Same as letter to Wentworth of same date, with an additional paragraph. 75

August 15, Halifax. Prince Edward to Dundas. Transmits monthly return.

Col. Cor. N.S. vol. 31, p. 25

Enclosed. Return. 26

September 5, St. John's, Newfoundl'd. Sir James Wallace to Prince Edward. Enclosed in Prince Edward's letter of 25th September, which see.

September 6, London. Boylston to King. Reminds him of his promise to refer the memorial of his father (Hallowell) to Wentworth; trusts it may be sent by the mail of this month.

Col. Cor. N. S. vol. 26, p. 236

September 6, Petty Harbour. Lawrence Kirby to Wallace. Enclosed in Prince Edward's letter of 25th September, which see.

September 7, Whitehall. Secretary of State (Portland) to Wentworth. His letters have removed anxiety about the maroons, to examine whether the climate can be rendered unhurtful to them. Is doubtful whether the removal to Sierra Leone of the loyal negroes from Georgia and the Carolinas, settled in Nova Scotia, answered the humane end proposed. Information to be sent, so that a judgment may be formed of the advantages or disadvantages that would attend the removal of the maroons.

Col. Cor. N. S. vol. 26, p. 124

(Copy in Col. Off. N. S. vol. 2, p 212.)

September 8, Whitehall. Secretary of State (Portland) to Wentworth. Informed the College Committee that £500 would be put in the estimate for 1796, for the building; it has been omitted, but he has requested the Treasury to honour bills to that amount, the sum to be inserted in the estimates for 1797.

Col. Off. N. S. vol. 2, p. 214

September 8. W. Scott to Secretary of State (Portland). In consequence of a conversation with King, takes the liberty of sending extract from letter which he has received on the subject of the removal of the maroons.

Col. Cor. N. S. vol. 26, p. 228

Enclosed. Extract (undated and unsigned) from a letter characterising the removal of the maroons to Halifax as little short of a national murder, on account of the severe climate. The Sierra Leone company might agree to receive them, or they might be sent to one of the unsettled Bahama Islands. 230

September 18. Prince Edward to Dundas. Sends monthly return.

Col. Cor. N. S. vol. 31, p. 29

Enclosed. Return. 30

1796.
eptember 20, Wentworth to Secretary of State (Portland). Describes the con-
alifax. dition and settlement of the maroons. Quarrell and Ochterlony, commissary and assistant commissary, are most zealous and disinterested in their efforts for the welfare of these people, who have no desire to return to Jamaica, nor to be sent to Sierra Leone. The Rev. Benjamin Gerrish Gray, appointed minister, and to teach the children.
Col. Cor. N. S. vol. 26, p. 136

eptember 24, Wentworth (unsigned) to Secretary of State (Portland). Sir James
alifax. Wallace has sent intelligence of a descent made by a French squadron on the harbour of Bay of Bulls. Ordered the militia to be in readiness to march at a moment's notice. Has forwarded the news to Admiral Murray (now much recovered), also to Prescott, Carleton, Fanning and Matthews. Clothing urgently required. The fortifications in the harbour are in such a state of defence, that any enterprise attempted by the enemy need cause no alarm to the inhabitants of the town. 142

Enclosed. Wallace to Wentworth. A French squadron consisting of five sail of the line, three large frigates and a corvette, has been for some days on the coast, destroying fishing vessels and other boats. It is now at anchor in the Bay of Bulls. 146

Extract from letter from Wentworth to Portland respecting militia, dated 20th December, 1794. The whole letter is at its date.

eptember 24, Wentworth to King. Descent of the French on Newfoundland;
alifax. Halifax prepared to repel any attack. Du Buc de Marentille has received a passport to remove with his family into the interior. Movements of vessels, amongst others the "Earl of Moira" had relieved Lord Dorchester and family and brought them here (Halifax). (The "Active" with Lord Dorchester and family on board, was wrecked on the west end of Anticosti on the 15th July. His Lordship and family left in a schooner for Percé). Further praise of Prince Edward. Abundant harvest with propitious weather. Report received that bills drawn according to the estimate are to be protested; the distress this will cause the officers. Applies for a supply of stationery. A. & W. I. vol. 598

eptember 25, Prince Edward to Secretary of State (Portland). Reports the arrival
alifax. of a French squadron off Newfoundland about the 4th September. Has requested Admiral Murray to sail immediately with the whole of his squadron for the protection of the coast. Is making every exertion to repel the expected attack, but owing to the lack of the reinforcements so often and urgently solicited the new works are not nearly so forward as could be wished. Col. Cor. N. S. vol. 30, p. 83

Enclosed. Wallace to Prince Edward, 5th September, respecting the French squadron in the Bay of Bulls. 85

Kirby to Wallace, 6th September. Nine ships of war in the Bay of Bulls; does not suppose there are troops on board. 86

eptember 27, Milligan & Mitchell to Secretary of State (Portland). Send copy of
ondon. letter addressed to the Admiralty and request His Grace's influence in support of their application. Col. Cor. N. S. vol. 26, p. 232

Enclosed. Milligan & Mitchell to the Admiralty, same date. Having received orders to ship a quantity of goods to Halifax for the use of the maroons and it being highly important that the supply should arrive before the winter, request that a ship of war may carry the goods or a convoy be ordered to the ship now loading. 233

ctober 4, Boyleston to King. Encloses duplicate of a memorial from his father
ondon. to the Duke of Portland and requests that it may be forwarded to Nova Scotia. 234

ctober 4, Aldridge to Prince Edward. Respecting the French fleet. Enclosed
t. John's, in Prince Edward's letter of 29th October, which see.
ewfoundl'd.

1796.
October 5, Whitehall. Secretary of State (Portland) to Prince Edward. Has sent extracts from his letters to the departments having charge of the subjects stated. Has written fully to Wentworth respecting the maroons.
Col. Cor. N. S. vol. 30, p. 51

(Copy in Col. Off. N. S. vol. 2, p. 215.)

October 6, Whitehall. King to Wentworth. Transmits copy of memorial from Hallowell to be reported on. Col. Off. N. S. vol. 2, p. 218

October 6, Whitehall. Secretary of State (Portland) to Wentworth. His letter has largely anticipated the information required; his arrangements approved of. As soon as the maroons are settled, orders shall be given as to their instruction by a clergyman of the Church of England.
Col. Cor. N. S. vol. 26, p. 134

(Copy in Col. Off. N. S. vol. 2, p. 216).

October 6, Halifax. Prince Edward to Dundas. Sends monthly return.
Col. Cor. N. S. vol. 31, p. 32

Enclosed. Return.

October 8, Halifax. Wentworth to Secretary of State (Portland). Sends accounts of sundry disbursements made for the Indians from October, 1793, to August, 1796; the supplies are granted to them on the express condition that the men, about 150 of whom are able to bear arms, shall assist to repel any invasion. Satisfactory state of the maroons. Encloses newspaper with the latest intelligence from Newfoundland. Admiral Murray's arrival with part of the squadron adds considerably to the safety of the province. Col. Cor. N. S. vol. 26, p. 152

Enclosed. G. H. Monk, Indian Agent in Nova Scotia. His account to 31st August. 154

Vouchers (16) for various accounts paid by Monk. 155 to 182

Extract from a letter in the *Weekly Chronicle* from Trepassey, dated 9th September, respecting the French squadron off the coast of Newfoundland. 183

October 9, Halifax. Wentworth to King. Had hoped to send more news from Newfoundland, as there are two vessels off the harbour supposed to be from there. The feeble state of Murray's health; repeats the request for an introduction to his successor and that he be recommended to consult him (Wentworth). Abundant crops &c. The illness of commissioner Duncan. A. & W. I. vol. 598

October 14, Halifax. Memorial of John Ruggles. Enclosed in Prince Edward's letter of 29th October, which see.

October 28, Halifax. Wentworth to Secretary of State (Portland). Dispatches received; communicated on the subject of their contents with Prince Edward and Admiral Murray; the latter, unfortunately, is suffering from a relapse of the paralytic disorder. Every possible exertion will be made to injure the property and possessions of the Crown of Spain. Requests that the warrant or commission to issue letters of marque may be sent. The French fleet under Admiral Richery has departed from Newfoundland, after doing little damage; they have probably proceeded to the United States for provisions. The militia evinced great alacrity and loyalty on being summoned to assemble. Admiral Richery would have encountered a determined and spirited defence had he attacked Halifax.
Col. Cor. N. S. vol. 26, p. 155

October 29, Halifax. Same to the same. Has partially answered dispatch in previous letters. Is fully persuaded that the climate will be found healthy and comfortable for the maroons. The negroes brought into the province in 1783 were circumstanced very differently from the maroons, who are provided with every necessary and have zealous and kindly commissaries to reside amongst them and attend to their wants. 189

1796.
October 29, Halifax. Wentworth to Secretary of State (Portland.) Has received letter that £500 was granted towards finishing King's College at Windsor. Requests that any sums lapsing on the Parliamentary grant for the ministers in the province, may be applied to finish the church at Windsor, which is in an incomplete state; the inhabitants are not able to finish it. Col. Cor. N. S. vol. 26, p. 197

October 29, Halifax. Prince Edward to the same. Transmits memorial of Ruggles, a loyalist, whose case he recommends. Col. Cor. N. S. vol. 30, p. 101

Enclosed. Memorial of John Ruggles, with testimonial from Wentworth. Requests compensation for his services during the war. 103

October 29, Halifax. Prince Edward to Secretary of State (Portland). Gives an account of the present state of the defences and what further progress will probably be made during the next season. Should the province be attacked when the squadron is cruising, their situation would be critical as their whole force amounts to barely 1,500 men. 93

Enclosed. Aldridge to Prince Edward, (extract). Gives details of the movements of the French fleet, with a list of their ships. 99

October 31, Ordnance. Crewe to Secretary of State (Portland). Enclosed in Portland's letter to Prince Edward of 1st November, which see.

November 1, Whitehall. Secretary of State (Portland) to Prince Edward. Has the utmost confidence in his ability and zeal should the province be attacked. Sends copy of letter from the Ordnance for his guidance and information. Col. Col. N. S. vol. 30, p. 87

Enclosed. Crewe (Ordnance) to King. The Board will not be responsible for the cost of the works now in progress for the defence of Halifax harbour; the previous consent and approbation of the Master General and Board required by his Majesty's regulations of 7th September, 1791, not having been obtained, 89

(Copy of letter in Col. Off. N. S. vol. 2. p. 218).

November 1, Whitehall. Secretary of State (Portland) to Wentworth. His Majesty's approbation of the manner of providing for the maroons; the expense to be borne by Jamaica till the maroons can support themselves. His cooperation with Prince Edward to repel an attempt by the squadron under Richery is laudable and no doubt is entertained that the exertions to this end will be seconded by the inhabitants. Col. Cor. N. S. vol. 26, p. 150

(Copy in Col. Off. N. S. vol. 2, p. 219).

November 2, Whitehall. King to Wentworth. In consequence of representation that bills drawn for the first quarter of 1796, in accordance with the estimate had been noted for protest, the Treasury has issued orders to pay a moiety of the grant for this year to the agent. Col. Off. N. S. vol 2, p. 221

November 2, Whitehall. Secretary of State (Portland) to Prince Edward. Has received, with surprise, advice from the Treasury that bills have been drawn to the amount of £3,662 8s 8d, on account of fortifications and barracks. Cannot make provision for any expense incurred, otherwise than in strict conformity to the Kings' instruction of 7th September, 1791. Col. Cor. N. S. vol. 30, p. 91

(Copy in Col. Off. N. S. vol. 2, p. 222).

November 4, Halifax. Prince Edward to Dundas. Monthly return sent. Col. Cor. N. S. vol. 31, p. 43

Enclosed. Return.

November 10, Halifax. Wentworth to King. Dr. Smith is competent for the situation in Cape Breton, but not qualified for the office of Chief Justice at Halifax. The peculiar qualifications of Strange; if promoted it will be difficult to find a suitable successor. Capt. Straton, engineer, who takes this letter, is a good man, asks him (King) to present him at the Duke's levee. Believes the maroons enjoy comfort and happiness; they are entirely

1796.

under his care, the commissioners being entire strangers to such business and the admiral too old. Recommends his nephew, Lieut. Apthorp of the "Resolution," for promotion. A. & W. I. vol. 593

November 10, Halifax. Memorial of the members of the Protestant dissenting church and congregation in Halifax to Sir John Wentworth, praying that the salary or annuity granted to their late pastor, Dr. Andrew Brown, may be continued to their present pastor, the Rev. M. Gray. Col. Cor. N. S. vol. 27, p. 12

November 13, Halifax. M. Bulkeley to Chief Justice Strange. Informs him of Freke Bulkeley's death. Had requested Dr. Almon to acquaint him of the expected event; so that he (Strange) might explain Mr. Bulkeley's position, which is ill understood at home. 218

(The month is illegible but is, without doubt, November, as in the margin.)

November 13, Halifax. Richard Bulkeley to Strange. His son Freke has died after a few days illness. The Governor has promised that whoever succeeds to the office of secretary of the province, he (Bulkeley) shall suffer no pecuniary loss. 220

No date. Strange to King. Encloses two letters from the Bulkeleys, whose condition is truly piteous. The arrangement at present proposed by no means fulfils the expectations that were at first held out on the death of Freke Bulkeley. Trusts Mrs. Bulkeley may be included in any scheme proposed, should she survive her husband. 216

November 14, Halifax. Ogilvie to Secretary of State (Portland). Requests in consideration of his long services, that he may be appointed secretary to the garrison of Annapolis vacant by the death of Freke Bulkeley. The appointment is a military sinecure and may fairly be considered as a douceur for an old officer. 3

November 15, Halifax. Prince Edward to the same. Letter of the 5th October received. Requests him to present two enclosures to their Majesties. Col. Cor. N. S. vol. 30, p. 110

November 16, Halifax. Wentworth to the same. Communicates the death of Freke Bulkeley and recommends Benning Wentworth to be secretary, registrar and clerk of the Council and secretary of Annapolis, and James Putnam to be marshal of the court of vice-admiralty, to fill the appointments vacant by his (Bulkeley's) death. If Wentworth succeeds to the above offices, recommends Michael Wallace to be treasurer of the province in his stead. Col. Cor. N. S. vol. 27, p. 5

November 16, Halifax. Same to the same. Gives particulars relative to the provincial appointments recommended in his public letter. 8

November 17, Halifax. Same to the same. Encloses a memorial presented by the elders on behalf of the Presbyterian church at Halifax, and recommends the same. 10

November 24, Halifax. Account of pay due to James Clarke and William McIntosh. Enclosed in Ogilvie's letter of 24th December, which see.

November 26, Quebec. Prescott to Prince Edward. Enclosed in Prince Edward's letter of 1st February, 1797, which see.

November 28, Halifax. Wentworth to King. A memorial goes by this conveyance for 70,000 acres for a large settlement and for iron works, &c.; recommends that the request be granted. The political feeling in the United States; French designs on Nova Scotia, New Brunswick, Newfoundland and Canada; strong fortifications the best answer. A. & W. I. vol. 593

November —. Extract of proceedings relative to droit of Admiralty concerning the seizure of the Spanish brigantine "Neustra." Col. Cor. N.S., vol. 27, p. 243

December 6, Portland Place. Alexander Blair to the Secretary of State (Portland). Submits petition for His Grace's consideration. Col. Cor. N.S. vol. 26, p. 238

December 9, Portland Place. Same to King. Desires to know the result of the determination of Portland respecting his petition. 24

1796.
cember 14, Secretary of State (Portland) to Wentworth. Is satisfied with the
hitehall. attention paid to the Indians, but the expense far exceeds the appropriation, which was to be regularly diminished. The amount is £656; whilst, by referring to previous letters, he will see it was not expected to exceed £200. Has informed the Admiralty that the commission to issue letters of marque against Spain was not sent. The King's approbation of the spirit and loyalty of the people of Nova Scotia, whilst Richery remained on the coast, is to be communicated. His report of the conduct of the maroons far exceeds expectation; looks forward to them becoming useful subjects. Quarrell's conduct has not escaped the King's notice; he has appointed him to the Council of Jamaica. Will attend to the application for a sum to complete the new church at Windsor. Col. Cor. N. S. vol. 26, p. 199

(Copy in Col. Off. N. S. vol. 2, p. 224).

cember 15, Secretary of State (Portland) to Prince Edward. His dispatches
hitehall. laid before the King. The part relating to the fortifications, sent to the Ordnance, does not include the booms to the North-West Arm, as these were caused by an emergency, and the cost will be defrayed by the Treasury. Has remitted to Dundas the request for a reinforcement; that must depend on the exigencies of the general service.
Col. Cor. N. S. vol. 30, p. 107

(Copy in Col. Off. N. S. vol. 2, p. 229).

cember 15, Secretary of State (Portland) to Prince Edward. Has sent letter
hitehall. enclosing memorial from Ruggles to the proper department. Shall do all in his power to assist, but entreats him to consult Wentworth on the subject of rewards for such services as Ruggles rendered, to which the ministry had set bounds. Col. Cor. N. S. vol. 30, p. 105

(Copy in Col. Off. N. S. vol. 2, p. 228).

cember 21, Wentworth to Secretary of State (Portland). Has drawn on the
alifax. Treasury for £800 sterling for expenses incurred in refitting the "Earl of Moira," rendered necessary by damage she had received by running on an undescribed reef of rocks. Supplies have been distributed for the relief of the Indians, some of whom begin to cultivate corn and roots. The stores have arrived from London for the use of the maroons, and as they are comfortably clothed and fed their apprehensions of the severity of the winter have subsided. Prince Edward has acceded to Capt. Mowatt's application and permitted one sergeant, one drummer and thirty able bodied privates to embark and act as marines on board the "Assistance" until the following April. Col. Cor. N. S. vol. 27, p. 14

cember 22, Same to the same. Transmits the Acts and journals of the last ses-
alifax. sion of the General Assembly of Nova Scotia, with explanations. 29

Enclosed. Journal of Legislative Council of Nova Scotia, from 3rd March to 11th April, 1796. 35

The same of the Assembly. 65

cember 24, Ogilvie to Secretary of State (Portland). Encloses a copy of the
alifax. account of allowances made with His Grace's sanction. 19

Enclosed. Account of pay due to James Clarke, acting commissary of French prisoners, and William McIntosh, acting commissary of provisions and fuel to the troops on the Island of St. Pierre. 21

Prince Edward to Mathews (extract). Enclosed in Prince Edward's letter of 1st February, 1797, which see.

cember 26, Wentworth to Secretary of State (Portland). Has examined Hal-
alifax. lowell's memorial, and reports that 5,000 acres out of the 20,000 acres granted to him were allotted by mistake of the surveyors to the disbanded regiment of the late Lord Charles Montagu. These 5,000 acres are now of considerable value, and Hallowell by his successful endeavours to improve the country merits compensation. Col. Cor. N. S. vol. 27, p. 95

1796. December 30, Halifax. Wentworth to Secretary of State (Portland). Has received circ letter, dated 27th October, notifying that hostilities had taken p between Great Britain and Spain. Col. Cor. N. S. vol. 27,

1797. January 6, Mansion House. Brook Watson to Secretary of State (Portland). Trusts that who succeeds to the office of Secretary of the province, vacant by the d of Freke Bulkeley, may be obliged to fulfil the engagement he (F Bulkeley) entered into with his father, to pay him part of the saiary.

Enclosed. Memorial of Richard Bulkeley, on behalf of his fa Hon. Richard Bulkeley, late Secretary of Nova Scotia, to Secr of State (Portland). Through the death of his son and successo is left without support at the age of 74.

January 7, Halifax. Prince Edward to Dundas. Transmits monthly return. Col. Cor. N. S. Vol. 31.

Enclosed. Return.

January 10, Transport Office. Richard George to King. Solicits the appointment of Secreta the province vacant by the death of Freke Bulkeley, for his broth law, Thomas Cochran, jr., whose father is one of the Council fo province, and was speaker of Assembly. Col. Cor. N. S. vol. 27, p

Mandamus from the King granting Alexander Blair and James G several parcels of land. Enclosed in Blair's letter of 7th Febr which see.

February 1, Halifax. Prince Edward to Secretary of State (Portland). Transmits l from the President of the Council of Cape Breton, and extracts from respondence with Prescott. The conduct of the French in Americ flagrant that probabably the United States ports may be shut ag them, in which case they would make every effort to become maste Halifax. Represents the inadequacy of his forces to repel an at particularly if the squadron is cruising to the southward. Col. Cor. N. S. vol. 30, p

Enclosed. Mathews to Prince Edward, 6th December, 1796. quests that a company may be sent for the protection of the coal m also that a small breast work may be erected at Arichat, where principal fishery is carried on. Encloses letter from the contractor the coal mines.

Tremain & Stout to Mathews, 1st December. Request that he wi form Prince Edward of the exposed position of the coal mines; a small hostile force could destroy the works and thus deprive the g sons of Halifax and Newfoundland of their supply of coal.

Prescott to Prince Edward, 26th November. Owing to the pol state of the province of Quebec, is unable to send any reinforcemer Halifax.

(For other correspondence on this subject, see Canadian Arcl series Q., vol. 78, p. 170).

Prince Edward to Mathews (extract). Is unable to comply wit request for troops as Nova Scotia stands in need of reinforcement received, the protection desired shall be sent to Cape Breton.

February 1, Halifax. Prince Edward to Secretary of State (Portland). Solicits his int and protection in favour of Major Prevost, formerly a British offic Col. Cor. N. S. vol. 27, p

February 3, Whitehall. Secretary of State (Portland. Sends letters and enclosures, that Ordnance service in Nova Scotia is impeded by the clerks, artificer labourers being called on for militia duty; he is to give the matter sideration. As the Act by which the Ordnance officers are made su to militia duty is, no doubt, provincial, he is to report on the subje (Copy in Col. Off. N. S. vol. 2, p. 231).

February 7, Portland Place. Alexander Blair to King. Requests him to transmit the enc mandamus to the Governor of Nova Scotia. Col. Cor. N. S. vol. 27, 1

1797.

Enclosed. Mandamus from the King granting to Alexander Blair and James Glenie several parcels of land as described in annexed schedule. Col. Cor. N. S. vol. 27, p. 230

Schedule of lands running along Francklin's manor. 232

ebruary 16, Halifax. Prince Edward to Secretary of State (Portland). Knows that the Board of Ordnance had the power to reject defraying the expense of works, the estimates and plans for which had not been previously submitted, but conceives that he acted in obedience to the 5th article of the instructions in which particular provision is made for sudden emergency when it is absolutely necessary for works of defence to be immediately undertaken, without first obtaining His Majesty's sanction. Vindicates his conduct respecting the expenses for the works and explains his reasons for drawing bills on the Treasury.

Col. Cor. N. S. vol. 30, p. 127

List of clothes for the Royal Nova Scotia regiment.

Col. Cor. N. S. vol. 27, p. 234

(Endorsed. "Copy sent to the Treasury, 17th February, 1797)."

larch 21, Whitehall. Secretary of State (Portland) to Prince Edward. Extracts from his letters respecting defence sent to Dundas and to the Admiralty. Attention has been paid to his applications for reinforcements so far as the general service would permit. Militia should be called out and constantly embodied, in addition to the present force; this will provide for Cape Breton, but the calling out of the militia should be made as little inconvenient as possible and the force should be dismissed when the season does not admit of attack. To communicate with Wentworth on the subject. Col. Cor. N. S. vol. 30, p. 124

(Copy in Col. Off. N. S. vol. 2, p. 232).

larch 23, Halifax. George Leonard to Jona Odell (printed) with observations. Thanks for general statement, which will be useful to Blowers.

Col. Cor. N. S. vol. 27, p. 238

(See also Col. Cor. N. S. vol. 32, p. 142).

larch 29, Whitehall. Secretary of State (Portland) to Wentworth. His Majesty approves of the arrangement in the Council, consequent on the death of Bulkeley, with the same charges in favour of his father, on account of his long and faithful services. The same salary to be continued to Grey (Gray?) pastor of the Presbyterian church of Halifax, as was paid to his predecessor. Refers him to letter of 14th December, with respect to expenses for the Indians. His satisfaction at the activity of the officers and crew of the "Earl of Moira." Col. Off. N. S. vol. 2, p. 236

pril 3, ew York. Isaac Ogden to ——— (one of Prince Edward's staff). Respecting the intrigues of the French in Canada. Enclosed in Prince Edward's letter of 23rd April, which see.

pril 3, rosvenor quare. Sydney to Secretary of State (Portland). Prince Edward has commanded him to give particulars concerning Major Prévôt, whom he (Sydney) can strongly recommend as a person of merit deserving of some appointment for the sacrifices he has made in support of his loyalty.

Col. Cor. N. S. vol. 27, p. 235

pril 20, Halifax. Wentworth to King. Has received circular of 5th January.

Col. Cor. N. S. vol. 27, p. 23

pril 20, Halifax. Same to the same. Has received letter of 17th December, 1796, with printed copy of the answer to the Spanish manifesto. 25

pril 20, Halifax. Same to the same. Has received letter of 2nd November, concerning the bills which had been noted for protest by Cumberland, agent for the province; the bills have since been paid. 27

pril 21, Halifax. Same to Secretary of State (Portland). The maroons have passed through the longest and most rigorous winter known since the first settlement of Halifax, much better than could have been expected. Has been obliged to give more aid to the Indians to prevent them from starv-

1797. ing or robbing the dispersed inhabitants; owing to unavoidable accidents the Indians have been unable to provide at all for their own maintenance. Quarrell expresses his thankfulness for having been appointed to the Council of Jamaica. Col. Cor. N. S. vol. 27, p. 99

April 22, Halifax. Wentworth to King. Has granted leave of absence to go to England to Leonard, superintendent of fisheries. 106

April 23, Halifax. Prince Edward to the same. Has not been able to complete the boom across the harbour; is glad that the undertaking is approved of. Trusts that Dundas may attend to his representations respecting the present force at Halifax, which is insufficient for its defence. Col. Cor. N. S. vol. 30, p. 139

April 23, Halifax. Same to the same. Transmits copy of letter from Judge Ogden. It is the general opinion in the United States and Canada that Halifax will be attacked. Trusts the Minister for War may provide troops before it is too late. 141

Enclosed. Ogden to one of Prince Edward's staff. Respecting the intrigues of the French in Canada. 143

April 23, Halifax. Same to Dundas. Transmits monthly returns. Col. Cor. N. S. vol. 31, p. 54

Enclosed. Return.

April 23, Halifax. Thomas Meanwell to Walpole. Transmits a recital of circumstances, which Capt. Smith, of the maroons, wishes may be communicated. Col. Cor. N. S. vol. 28, p. 10

April 23, Halifax. Montagu James, a maroon, to the same. Trusts he will have the goodness to present petition to the Secretary of State; hopes for relief from the present miserable situation. Col. Cor. N. S. vol. 27, p. 247

(See also copies in Col. Cor. N. S. vol. 28, pp. 12 and 241.)

April 23, Halifax. Wentworth to Secretary of State (Portland). Requests that copies of the commissions of the Governors of the province may be transmitted, as the boundary line may be transcribed in them. The "Earl of Moira" brought the mail from New York; has ordered Fawson to cruise between Cape Ann and Cape Canso for the protection of the "London" and other vessels expected to arrive. Col. Cor. N. S. vol. 27, p. 103

April 24, Halifax. Same to King. Prince Edward considers certain of the offices held by the late Secretary Bulkeley to be subject to his patronage; the position of Bulkeley and his son in relation to these offices. He (Wentworth) proposes to appoint Putnam to be Secretary of the province. Proposal of the maroons to be embodied in a regiment under Ochterlony, encumbered with a train of women and children double the number of the men, and to remove to the Cape of Good Hope, where they would be dangerous. The only safe place for them is Nova Scotia, owing to the climate where they have no people to revolt with or to corrupt them. The difficulties of their settlement from the ruinous scheme held out to them and from Ochterlony's hopes of making a fortune by going in command of them. The difficulties in the management of the maroons. Illness of Lady Wentworth. His guest (Prince Edward) "avoids the matrimonial scheme mentioned some time ago." A. & W. I. vol. 598

April 25, Halifax. Same to the same. Lady Wentworth better. Dissatisfaction of Prince Edward at the appointment of Prescott. He will avoid matrimonial snares, which he suspects. A. & W. I. 598

May 6, Halifax. Prince Edward to Dundas. Encloses monthly return. Col. Cor. N. S. vol. 31, p. 59

Enclosed. Return.

May 7, Halifax. Wentworth to Secretary of State (Portland). Reports that by a resolution of the Assembly of Jamaica the expense for each maroon after July next is to be limited to £10 sterling per head, which sum will be altogether inadequate; entreats to have instructions on the subject. 111

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May 7, Halifax. Wentworth to King. The provision made by Jamaica for the maroons is totally inadequate; hopes they will be placed under his care. Their foolish scheme for being sent to India and let loose with arms in their hands. Cruisers sent to protect vessels arriving on the coast. A. & W. I. vol. 598

May 10, Whitehall. Secretary of State (Portland) to Prince Edward. His explanation regarding the works carried on is satisfactory; shall recommend to the Treasury to pay certain parts of the bills and those for the expense of the tower, if not provided for by the Ordnance; how the work should be authorized. A regiment of the Irish Brigade will be stationed in Nova Scotia during the summer. Col. Off. N. S. vol. 2, p. 240

May 20, Halifax. Wentworth to King. Letter from Portland of 8th December received. Col. Cor. N. S. vol. 27, p. 118

(Dated "December" 20, an evident error; it is endorsed as having been received on 29th June.)

May 28, Preston, N.S. Wentworth to Montagu James and Smith (maroons). Enclosed in Wentworth's letter of 2nd June, which see.

May 31, Maroontown. Oxley to Wentworth. Enlclosed in Wentworth's letter of 2nd June, which see.

June 1, Whitehall. Prince Edward to Dundas. Transmits monthly return. Col. Cor. N. S. vol. 31, p. 64

Enclosed. Return.

June 1, Halifax. Prince Edward to Dundas. Has received the very satisfactory information that a regiment of the Irish Brigade may shortly be expected. Should they be removed in the autumn, as intimated, trusts that an equal number of troops may be sent next spring to replace them. 62

June 1, Halifax. Same to Secretary of State (Portland). Has applied for 600 of the militia to be embodied, but does not think any reliance can be placed upon their services. Is expecting the arrival of a regiment of the Irish Brigade. Col. Cor. N. S. vol. 30, p. 147

June 2, Halifax. Wentworth to the same. The maroons complain of the severity of the climate notwithstanding they are in good health and strength having only two cases of sickness among 532 persons. Has promised to transmit their request to be removed to a warmer climate, but has persuaded them to try another year, to which suggestion they agreed. Col. Cor. N. S. vol. 27, p. 120

Enclosed. Wentworth to Montagu James and Capt. Smith, maroons. Owing to mis-information and want of sufficient experience of the climate and manner of providing for their families the maroons have been alarmed and fear they cannot live in Nova Scotia. He (Wentworth) desires they will further represent their wishes that day 12 months, namely on 28th May, 1798; in the meantime to exert their best endeavours to cultivate the land and improve the buildings and estate on which they now reside. 128

John Oxley, surgeon, to Wentworth. Report on the present health of the maroons. 126

June 3, Halifax. Wentworth to Secretary of State (Portland), Is preparing to embody 600 militia in accordance with the request of Prince Edward; some clothing for them must be supplied by government 130

June 3, Halifax. Same to the same. Is glad that the arrangements made to fill the vacancies caused by the death of Bulkeley are approved of. Has secured £200 per annum to be paid to Bulkeley senior during his life. 133

June 3, Halifax. Richard John Uniacke to the same. Trusts his long services may be considered and that he may succeed Blowers as Attorney General of the province. 241

June 3, Maroon Hall. Capt. Andrew Smith, maroon, to Charles Samuel. Describes the condition of the people. Col. Cor. N. S. vol. 28, p. 20

June 4. Quarrell to Walpole. Enclosed in Walpole's letter, received 6th July, which see.

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June 5, Duke Street — Robert Eyre to Secretary of State (Portland). Requests assistance to compel John Brittain, prize agent on the surrender of St. Pierre and Miquelon, to satisfy the just claims of the 65th regiment.
Col. Cor. N. S. vol. 27, p. 239

June 6, Halifax. — Speech of Wentworth to the Legislature.

June 7, Halifax. — Address of the Council in reply.

Same of the Assembly. Speech and addresses, enclosed in Wentworth's letter of 8th July, which see.

June 12, Whitehall. — Portland to Prince Edward. Letter of the 23rd of April received. Reinforcements will be sent from the West Indies. Trusts that the measures taken by the Government in Canada will frustrate the views of the French. Col. Cor. N. S. vol. 30, p. 145

June 12, Whitehall. — Secretary of State (Portland) to Wentworth. Has no doubt the Acts passed will tend to the welfare of the province, but doubts the sufficiency of four days exercise in time of peace to preserve the militia in discipline. His report on Hallowell's case renders it deserving of immediate attention. Can easily conceive that the length of the winter and the delusive hopes of serving as a corps at the Cape of Good Hope were obstacles to the maroons becoming domesticated; they must be put right on the subject of serving as a corps at the Cape of Good Hope and the conduct they must observe in the colony be explained to them; the expenses incurred on their account till they can support themselves is to be defrayed by Jamica, as agreed upon. Should the commissary stationed in Nova Scotia to defray expenses be withdrawn, a proper arrangement must be made for the future payments. He will apply to the Bishop of London for an allowance for civilizing the maroons. Sends copy of commission for the governor of Nova Scotia, showing the boundaries, but local investigation must proceed to show that the St. Croix claimed is the one intended in the treaty.
Col. Cor. N. S. vol. 27, p. 114.
(Copy in Col. Off. N. S., vol. 2, p. 242.)

June 12, Whitehall. — Secretary of State (Portland) to Prince Edward. Refers him to previous letters in answer to dispatches received. In consequence of intelligence at Quebec of the enemy's views, has no doubt they will be frustrated. Col. Off. N. S. vol. 2, p. 246

July 1, London. — Pepperell to Secretary of State (Portland.) Recommends Blowers to succeed Strange as Chief Justice of Nova Scotia.
Col. Cor., N. S. vol. 27, p. 245

July 6, London. — Walpole to the same. Transmits letter from Quarrell. Trusts His Grace will have no objection to grant the order requested.
Col. Cor. N. S. vol. 28, p. 14
(Undated, received on the date in the margin).
Enclosed. Quarrell to Walpole dated 4th June. Requests him to forward an order from Portland sanctioning transport of two maroons from Halifax to England. 16

July 8, Whitehall. — Secretary of State (Portland) to Wentworth. There is no doubt that the expenses of the offices vacated by the death of Bulkeley must be paid by the occupant; how far that may affect the views of Bulkeley the father, in respect to the emoluments to be derived by him from them, must be left to himself (Wentworth); the King cannot interfere.
Col. Cor. N. S. vol. 27, p. 136
(Copy in Col. Off. N. S. vol. 2, p. 248).

July 8, Whitehall. — Secretary of State (Portland) to Wentworth. In answer to letter respecting the maroons, sends duplicate of letter of 12th June; the most perfect submission to the law and to the authority of those appointed to superintend them is expected. Has no doubt he has arranged -

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Quarrell about defraying the expenses. His favourable representation of Dr. Oxley has been transmitted to the War Office. The 600 men called for by Prince Edward for the garrison of Halifax to be relieved as soon as the reinforcements shall arrive. Col. Cor. N. S. vol. 27, p. 138 (Copy in Col. Off. N. S. vol. 2, p. 249.)

July 8, Halifax. Wentworth to Secretary of State (Portland). The General Assembly met on the 6th June. Encloses speech and answers. Col. Cor. N. S. vol. 27, p. 144

Enclosed. Speech and answers, 146, 148, 150.
(The speech and answers are extracts from the journals):
The journals of the Legislative Council. Col. Cor. N. S. vol. 29, p. 51
The journals of Assembly. Col. Cor. N. S. vol. 33, p. 77

July 9, Halifax. Wentworth to Secretary of State (Portland). The corps of militia required by Prince Edward to be embodied are nearly all assembled; it will be impossible for them to do garrison duty unless clothing is provided for them; has, therefore, been obliged to draw on the Treasury for £500 sterling. Has ordered 2,000 militia to be in readiness to reinforce the garrison at Halifax, should France attempt any hostile enterprise on the coast. Col. Cor. N. S. vol. 27, p. 152

July 9, Halifax. Prince Edward to Dundas. Encloses monthly return. Col. Cor. N. S. vol. 31, p. 79

Enclosed. Return.

July 10, Halifax. Wentworth to Secretary of State (Portland). Has prevailed on Quarrell to postpone his departure and to continue his good offices among the maroons, Ochterlony not being so succesful in his management. One family of 28 persons led by a noted captain removes this day to a separate estate to settle for life; the remainder of the maroons will probably soon follow this example. Col. Cor. N. S. vol. 27, p. 155

July 13, Windsor. Benjamin Dewolf's account. Enclosed in Wentworth's letter of 24th April, 1798, which see.

July 13, Whitehall. Secretary of State to Wentworth (private). Col. Cor. N. S. vol. 27, p. 140

July 29, Whitehall. Same to Leonard. Sends commission appointing him superintendent of the trade and fisheries on the coast of the North American colonies, with observations on his duties. Col. Off. N. S. vol. 2, p. 251

July 30, Halifax. Muster roll of militia. Enclosed in Wentworth's letter of 13th August, which see.

August 2, London. Walpole to Greville. Reminds him to speak to Portland about giving an order to send over two of the maroons from Halifax. Col. Cor. N. S. vol. 27, p. 247

Same to Secretary of State (Portland). Undated letter (about the same time as the preceding) enclosing papers relative to the maroons. Col. Cor. N. S. vol. 28, p. 8

August 3, Whitehall. King to Wentworth. Transmits copy of letter from the under Secretary at War relative to the appointment of Benning Wentworth to be Secretary to the Lieut. Governor of Nova Scotia *vice* Bulkeley deceased. Col. Off. N. S. vol. 2, p. 254

August 8, Dartmouth. Quarrell to Captain Howe. Enclosed in Wentworth's letter of 12th August, which see.

August 9, Maroon Hall. Howe to Quarrell. Enclosed in Wentworth's letter of 12th August, which see.

August 11, Halifax. Monthly report of militia. Enclosed in Wentworth's letter of 13th August, which see.

August 12, Halifax. Petition on behalf of near 600 maroons begging to be removed to a more congenial climate. Col. Cor. N. S. vol. 28, p. 237

August 12, Halifax. Prince Edward to Secretary of State (Portland). Is gratified that his explanation respecting the new works has been satisfactory; reports their progress. No reinforcements have yet arrived and only 500

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militia embodied, who are not worth more than a third of that number of disciplined soldiers. Col. Cor. N. S. vol. 30, p. 149

August 12, Halifax. Prince Edward to Dundas. Sends monthly return. Col. Cor. N. S. vol. 31, p. 32

Enclosed. Return.

August 12, Halifax. Wentworth to Secretary of State (Portland). Letter of 12th June received and in obedience thereto, will inform the maroons that they are not to expect a removal from the province. Unworthy practices are resorted to by interested persons to make them complain of the climate, &c. Captain Howe, of the Royal Nova Scotia Regiment, has been appointed to take charge of them; they will be more comfortable without Ochterlony. Trusts that the Government of Jamaica will still supply the necessary funds for settling the maroons. Encloses letter from Quarrell and Howe's reply, with list of bills drawn by Quarrell on Milligan & Mitchell. Col. Cor. N. S. vol. 27, p. 157

Enclosed. Quarrell to Howe, 8th August. Requests him to answer certain queries relative to the maroons which, with the answers, he desires to transmit to England. From his (Howe's) long residence in Jamaica and knowledge of the maroons, no one is so fit to take charge of them. 162

Howe to Quarrell 9th August. Acknowledges letter of the 8th inst. and thanks him for his good opinion. Replies to queries sent. Considers that the maroons can live comfortably in Nova Scotia and will work if encouraged. 164

List of bills drawn by Quarrell as commissary for the maroons on Milligan & Mitchell amounting to £6,050 4. 8. sterling. 174

August 13, Halifax. Wentworth to King. Letter shall be forwarded to Barclay at Boston, where the commissioners meet. Further respecting the maroons; Ochterlony dismissed; the loss caused to Jamaica by his measures. A. & W. I. vol. 598

August 13, Halifax. Same to Secretary of State (Portland). The militia embodied at Halifax continue to do duty in the most orderly manner. Sends muster roll and morning report of the day before. Prince Edward desired an addition of 200 rank and file to the present battalion, but on learning what distress such a levy would occasion has agreed to suspend the measure; the crops which are abundant need all available hands. The "Earl of Moira" has taken Barclay, boundary commissioner, to Boston; he is possessed with so many proofs, that the inhabitants of Massachussetts are generally convinced that their claim is untenable. Col. Cor. N. S. vol. 27, p. 176

Enclosed. Muster roll, 30th July, of six companies of the Nova Scotia militia. 179

Morning report, 11th August, of the embodied militia. 181

List of bills drawn on the Treasury for the expenses of the pay and clothing for the militia embodied at Halifax, at the requisition of Prince Edward, amounting to £2,500 sterling. 182

August 14, Fort Townshend. Vice-Admiral Waldegrave to Prince Edward. Enclosed in Prince Edward's letter of 28th August, which see.

August 24, Halifax. Prince Edward to Waldegrave. Enclosed in Prince Edward's letter of 28th August, which see.

August 28, Halifax. Prince Edward to Secretary of State (Portland). Encloses letter from Vice-Admiral Waldgrave with his reply. Col. Cor. N. S. vol. 30, p 159

Enclosed. Vice-Admiral Waldegrave to Prince Edward, 14th August. According to the terms of his commission he is military as well as civil Governor of Newfoundland and cannot acknowledge any superior North America.

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Prince Edward to Waldegrave, 24th August. Quotes the commission of Lieut. Governor Prescott, in which he (Prescott) is nominated commander-in-chief within the Island of Newfoundland. Encloses papers explaining why he addressed Waldegrave as merely civil Governor. Col. Cor. N. S. vol. 30, p. 107

Copy of Order-in-Council to determine the authority of civil governors over the forces stationed in the respective Provinces of North America, transmitted in dispatch from Secretary of State of 9th February, 1765. 175

Copy of instructions by Dorchester to Prince Edward, dated 7th June, 1794, on his (Prince Edward's) taking the command of Nova Scotia and its dependencies. 177

Extract from letter from Dorchester to Prince Edward, 7th June. 1794, enclosing warrant to empower him to hold courts martial. 179

Extract from letter from Dorchester to Ogilvie, 6th December 1788. Requests him to give orders to the military officers of the highest rank at St. John's Newfoundland, to send the usual returns respecting the expenditure of provisions, Lieut. Governor Elford (Elliott) having refused to forward said returns. 181

Steele (Treasury) to Dorchester, 16th December, 1789. Is desired to give instructions to the Lieut. Governor of Newfoundland to render an exact account of provisions received. 183

September 1, Halifax. Wentworth to Secretary of State (Portland). The appointment of Blowers to be Chief Justice meets with universal approval; recommends Richard John Uniacke to be Attorney General and Jonathan Sterns to be Solicitor General. Col. Cor. N. S. vol. 27, p. 186

September 1, Halifax. Same to the same (private). Dispatch received; has informed Uniacke of his readiness to recommend him to be Attorney General in succession to Blowers appointed Chief Justice. Sterns cheerfully acquieses in the appointment and will act with zeal as Solicitor General. Acknowledgment of Blowers for his appointment. 190

(See also A. & W. I. vol. 598.)

September 1, "Thetis" at Halifax. Capt. Cochrane to Secretary of State (Portland. Solicits a grant of 20,000 acres in either of the four adjoining provinces. Col. Cor. N. S. Vol. 27, p. 249

September 7, Whitehall. Secretary of State (Portland) to Prince Edward. Regrets the long delayed departure of the Irish Brigade, especially as agriculture had suffered by the calling out of the militia, whose men may return to their usual employments on the arrival of the reinforcement. Has written to the Admiralty in reference to the services of their officers in placing the boom. Col. Cor. N. S. vol. 30, p. 157

(Copy in Col. Off. N. S. vol. 2, p. 254.)

September 10, Halifax. Wentworth to King. Thanks for letter respecting the law appointments; his feelings respecting Uniacke all buried, and he looks forward to his appointment being very useful; removal of the animosity between Uniacke and Sterns. The progress made by the maroons since they have been placed in charge of Howe. Hopes of seeing the Irish Brigade so as to relieve the embodied militia for the harvest. In event of peace, hopes the discharge of seamen and troops may be left to him to avoid the expense incurred in 1783. A. & W. I. vol. 598

September 10, Halifax. Prince Edward to Dundas. Transmits monthly returns. Col. Cor. N. S. vol. 31, p. 89

Enclosed. Return.

September 11, Whitehall. Secretary of State (Portland) to Wentworth. The King's satisfaction at the harmony that prevailed in the General Assembly; he relies on the continuation of their loyalty. Is sorry that the late departure of the Irish Brigade compelled him to keep the militia so long embodied; hopes before this reaches he has been able by the arrival of the reinforcement to permit them to return to their homes. Is sorry to learn

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that he had been obliged to endorse some of Quarrell's bills, they having been protested; the legislature of Jamaica will, however, prevent a recurrence of this. The orderly conduct of the maroons is satisfactory. Col. Cor. N. S. vol. 27, p. 184

(Copy in Col. Off. N. S. vol. 2, p. 256.

September 11, Halifax. Wentworth to King. Sends returns from Oxley, surgeon to the maroons; intends to visit their settlement; nature of the investigation.

Returns. 1st July, sick in hospital 3
Total number..... 526
1st August, sick in hospital..... 4
Total number..... 532
Increase by births..... 6
1st September, sick in hospital..... 3
(One dead.)
Total number..... 542
Increase by births..... 10

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September 25, Whitehall. King to Wentworth. Chief Justice Strange to be paid his full salary to 30th June last. Col. Off. N. S. vol. 2, p. 258

October 6, Whitehall. Same to same. Sends case to be forwarded to the boundary commissioners. 258

October 18. Walpole to King (?). Respecting the order to permit two maroons to come to England. Col. Cor. N. S. vol. 27, p. 253

October 19, Whitehall. King to Wentworth. Sends two cases containing an instrument for ascertaining the locality of the river decided to be the boundary. Col. Off. N. S. vol. 2, p. 259

October 20, Halifax. Wentworth to Secretary of State (Portland). Recommends James Brenton to the vacancy in the Council caused by the removal of Strange; recommends also Belcher for the Council. Col. Cor. N. S. vol. 27, p. 193

October 25, Halifax. Blowers to Strange. Gives an account of the proceedings of the Court during Michaelmas term. Col. Cor. N. S. vol. 28, p. 205

October 31, Windsor. G. H. Monk; memorial to Wentworth. Enclosed in Wentworth's letter of 2nd November, which see.

November 1, Whitehall. Secretary of State (Portland) to Wentworth. The nomination of Uniacke to be Attorney General, and Sterns to be Solicitor General, approved of. A mandamus ordered for each. Col. Cor. N. S. vol. 27, p. 188

(Copy in Col. Off. N. S. vol. 2, p. 260.)

November 2, Halifax. Wentworth to Secretary of State (Portland). Transmits letter from Major Monk, Royal Nova Scotia regiment, who desires on account of impaired health to retire on half pay; recommends his prayer. Prince Edward wishes Capt. George Thesiger to succeed; he is well qualified for the position. Col. Cor. N. S. vol. 27, p. 195

Enclosed. Memorial from Major Monk for leave to retire on half pay. 198

November 2, Whitehall. Secretary of State (Portland) to Prince Edward. Has submitted to the Duke of York the question between him (Prince Edward) and the Governor of Newfoundland, as to the command of the troops on that island; has sent to the Governor such directions as will obviate future difficulties. Hopes the 6th Regiment of the Irish Brigade has arrived. Col. Cor. N. S. vol. 30, p. 185

(Copy in Col. Off. N.S. vol. 2, p. 261.)

November 4, Halifax. Petition of Montague James and others on behalf of the maroons, praying to be removed to some warmer part of the globe. Col. Cor. N.S. vol. 28, p. 22

November 4, Halifax. Wentworth to Secretary of State (Portland). Dispatches received. The militia were discharged on the 24th October; their conduct has been most orderly and laudable. The maroons are in

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ing. Quarrell is detained on account of the non-payment of his bills by the island of Jamaica. The brig "Brothers," with a valuable cargo, was wilfully stranded near Liverpool, in the province; the crew are now in gaol awaiting their trial. Col. Cor. N.S. vol. 27, p. 200

Enclosed. Return of the sick, and the number of the maroons from 1st October to 1st November—2 sick, 5 births since last return; total number, 550. 205

November 7, Halifax. Prince Edward to Secretary of State (Portland). The Irish Brigade has not yet arrived; the want of it has been essentially felt during the past summer, the militia not being worth the expense they cost. A second company of artillery is urgently required.
Col. Cor. N.S. vol. 30, p. 189

November 7, Halifax. Same to Dundas. Transmits monthly return.
Col. Cor. N.S. vol. 31, p. 92

Enclosed. Return.

November 8, Halifax. Wentworth to Secretary of State (Portland). Entreats His Grace's protection for the memorial from the officers of the Royal Nova Scotia regiment. Prince Edward has recommended their solicitation to the Duke of York. Col. Cor. N.S. vol. 27, p. 207

Enclosed. Memorial from the officers. 209

(Duplicates of letter and memorial are in A. & W. I. vol. 598.)

November, 8, Halifax. Wentworth to King. Reports the changes among the officers of the Royal Nova Scotia regiment; the promotion of Captain Thesiger; application of McLean, who should not be promoted as he does not manifest a disposition to show good temper in the House of Assembly, of which he is a member. Quotes precedents to show why he (Wentworth) should be appointed Colonel of the regiment, although not previously holding military rank. Lawless state of Cape Breton; suggests sending Dr. Smith there as Chief Justice. The mortification of the officers of the Nova Scotia regiment at foreign officers being put over their heads.
A. & W. I. vol. 598

November 15, Halifax. Report to the commissioners to examine into the practicability of opening an inland navigable communication between the harbour of Halifax and the basin of Minas, signed by Isaac Hildreth and Theophilus Chamberlain. The report proposed that there should be twenty locks, the positions of which are given; to be faced with dressed freestone and backed with rubble; calculated to "chamber" a vessel of 60 feet keel and 16 feet beam, drawing from 4 to 5 feet of water; a plan accompanies the report. (The report and plan are laid in loose at the end of B. T. N. S. vol. 30, the latest date in that volume (other than this report) being 1790.) B. T. N. S. vol. 30

November 19, Halifax. Wentworth to King. Reports the discovery of an attempt by an officer of government handsomely provided for (name not given) to create disaffection; proposes such measures as may nip the attempt in the bud. Stranding in a storm of the brig "Sisters;" cargo saved. Dangerous illness of Murray, Provost marshal of Cape Breton; should he die, recommends Brenton to succeed. No word of the Irish Brigade; arrival of the "Paxton." If the Quebec convoy has not arrived it will be too late for this season. A. & W. I. vol. 598

December 12, Whitehall. Secretary of State (Portland) to Prince Edward. Ogilvie appointed to administer in Cape Breton and made President of the Council. A detachment to be placed under Ogilvie sufficient for the defence of Cape Breton against any sudden attack. Col. Cor. N. S. vol. 30, p. 187

(Copy in Col. Off. N.S. vol. 2, p. 263.)

December 22, Halifax. Prince Edward to Secretary of State (Portland). Part of the men of the Irish Brigade have arrived; it is feared that two of the transports are lost. Many officers having remained in Ireland and about 200 men having been disembarked through sickness, hopes that the residue of the

1797.

regiment may be dispatched early in March. Encloses estimates for completing the works; copies have been forwarded to the Master General of Ordnance. Col. Cor. N. S. vol. 30, p. 193

Enclosed. Estimate for works on Citadel Hill, George's Island, new tower at Point Pleasant and new artillery barracks. 195

Extract of letter from Prince Edward to Master General of Ordnance, of 16th December forwarding estimates for completing various works. 215

December 25, Halifax. Prince Edward to Dundas. Transmits monthly return. Col. Cor. N. S. vol. 31, p. 100

Enclosed. Return.

December 27, Halifax. Wentworth to King. Instruments for the survey of the St. Croix received; copy of Champlain's works wanted. Loss of the frigate "Tribune" and nearly all the officers and men. The good discipline of the Royal Nova Scotia regiment in assisting, during which it lost one officer, two sergeants and four privates; encloses papers on the subject with remarks. The regiment does all the outpost duty. The transports of the Irish Brigade are safe in port, except the ship "Elizabeth." The "Briton" is in Liverpool in distress; the "Earl of Moira" has gone to her relief. One American East Indianman is in great distress at Shelburne, which had parted with another in still greater danger; relief has been ordered for them. The Quebec merchantmen had not arrived in the St. Lawrence when navigation closed. Convoy wanted for vessels from Halifax. Health of Lady Wentworth, &c. A. & W. I. vol. 598

Enclosed. General order by Prince Edward, thanking the officers and men who went to assist the frigate "Tribune"; laments the loss by drowning of Lieut. James, two sergeants and four privates of the Royal Nova Scotia regiment whilst assisting; free rations ordered for their widows and orphans. Application from Capt. Cochrane (18th December) for a party of the Royal Nova Scotia regiment to act as marines on board H. M. S. "Driver."

Capt. Hardy to Wentworth (21st December). The good conduct of the detachment of the Royal Nova Scotia regiment serving as marines on board H. M. S. "Thisbe."

Murray, senior officer in Halifax harbour (13th December). His appreciation of the conduct of the officers and men of the Royal Nova Scotia regiment in assisting the crew of H. M. S. "Tribune."

Charles Fraser, customs officer, Parrsborough. The good services rendered by the same regiment in assisting the revenue officers.

December 28, Whitehall. King to Wentworth. Sends copy of letter from Freeling, secretary to the Post Office, that the packet boats are never to be detained, except when the good of the service may actually require it. Col. Off. N. S. vol. 2, p. 264

1798.

January 5. Accounts of supplies issued to Indians. Enclosed in Wentworth's letter of 24th April, which see.

January 16, Halifax. Prince Edward to Dundas. Transmits monthly return. Col. Cor. N. S. vol. 31, p. 103

Enclosed. Return.

February 4, Tunbridge Wells. Cumberland to King. Is incapable of suffering bills to be disgraced when he has the power to prevent it. The grant of 1796 was withheld for above a year. Wishes the Governor would make out the first bills to 30th June, when there is a good chance of them not arriving before the money is in hand. Col. Cor. N. S. vol. 28, p. 263

February 6, Halifax. Brenton to King. Respecting his appointment to be Chief Justice of Cape Breton. 274

February 6, Halifax. Prince Edward to Dundas. Transmits monthly return. Col. Cor. N. S. vol 31, p. 106

Enclosed. Return.

1798.
bruary 7, Secretary of State (Portland) to Wentworth. The appointment of
hitehall. Brenton approved of. The King cannot grant the memorial of the officers of the Royal Nova Scotia regiment to have rank in the army, although he fully appreciates their services. His (Wentworth's) account of the militia and of the services of the "Earl of Moira" are highly satisfactory. Shall represent to Balcarres the necessity for the Assembly of Jamaica to make provision for defraying the expenses of the maroons. Capt. George Thesiger to be major of the Royal Nova Scotia regiment, in room of Monk, retired on half pay.

Col. Cor. N. S. vol. 28, p. 1

(Copy in Col. Off. N. S., vol. 2, p. 265).

bruary 8, Secretary of State (Portland) to Prince Edward. Has transmitted to
hitehall. the Board of Ordnance his desire for a second company of artillery; it would be inexpedient at this moment to send a detachment from the Irish Artillery. Has received advice of the arrival of all the transports with the 6th regiment, except one, which appears to have put into Placentia Bay. The result of the consideration by the Board of Ordnance of the estimates shall be sent.

Col. Cor. N. S. vol. 30, p. 217

(Copy in Col. Off. N. S. vol. 2, p. 267).

arch 1, Return of maroons from 1st February to 1st March. Enclosed in
alifax. Wentworth's letter of 10th March, which see.

arch 7, Blowers to King. Acknowledges his (King's) good offices and re-
alifax. commends Brenton to be Chief Justice of Cape Breton.

Col. Cor. N. S. vol. 28, 276

arch 7, Same to the Secretary of State (Portland). Returns thanks for his
alifax. appointment to be Chief Justice. 278

arch 8, Secretary of State (Portland) to Wentworth. To avoid the heavy
hitehall. expense of protest, has recommended the Treasury to pay bills received without advice; all bills drawn must be accompanied by the proper vouchers. p. 5

(Copies are in Col. Cor. N. S. vol. 32, p. 143; and in Col. Off. N. S. vol. 2, p. 269, the day of the month being given in the latter only).

arch 10, Secretary of State (Portland) to Wentworth. Sends copy of letter
hitehall. from Sewell, agent for Jamaica, that the cost of the maroons and the time it continues far exceed the expectations of the Assembly of Jamaica. Reminds him (Wentworth) of the instructions that he was not to interfere in the management of their affairs, except when called upon as Lieut. Governor to assist in their maintenance, with a view to enable them to maintain themselves as early as possible.

Col. Cor. N. S. vol. 28, p. 3

(Copy in Col. Off. N. S. vol. 2, p. 270.)

arch 10, Wentworth to King (private). Lady Wentworth's state of health
alifax. renders her immediate voyage to England indispensably necessary. Encloses letter from Brenton accepting the Chief Justiceship of Cape Breton. The maroons are quiet and orderly, and do not suffer from the rigour of the winter; some persons are wicked enough to try to make them discontented. A French privateer was trying to intercept the packet which has, however, arrived safely. Details the mutinous conduct of Tonge, naval officer. Begs his protection for Cunningham who is going to England for settlement of a claim. Prince Edward warmly recommends his case. Affairs in Cape Breton uncomfortable. McKinnon, the Secretary, is confined in gaol; if the island reverts to Nova Scotia would be glad if Coxe is employed. Col. Cor. N.S. vol. 28, p. 31

Return of sick and number of maroons from 1st February to 1st March. 37

1798.
March 18, Tunbridge Wells. Cumberland to King. Is unable to furnish the names of persons on the civil establishment of Nova Scotia who were included in the Parliamentary estimate as desired. Col. Cor. N. S. vol. 28, p. 268

March 19, Whitehall. Secretary of State (Portland) to Wentworth. Sends copy of explanatory article to the treaty with the United States. Col. Off. N. S. vol. 2, p. 272

March 21, Whitehall. Same to Walpole. A petition from the maroons having been lost, requests him (Walpole) to procure an authenticated copy. Col. Cor. N. S. vol. 28, p. 231

(Copy in Col. Off. N. S. vol. 2, p. 273.)

March 22, London. Walpole to Secretary of State (Portland). The copy and original of the petition [from the maroons] are identical; he has compared the two; another can be obtained from Halifax if desired. Col. Cor. N. S. vol. 28, p. 233

(Undated and unsigned; it is endorsed: "Hon. Mr. Walpole," and is an answer to Portland's note of the previous day, 21st March.)

March 23, Bruton Street. Walpole to Secretary of State (Portland). Transmits copy of petition from the maroons. Col. Cor. N. S. vol. 28, p. 270

March 24, Whitehall. King to Wentworth. Confusion respecting the affairs of the maroons, caused by the loss of a memorial handed by Walpole to Portland. A. & W. I. vol. 598

March 26, Whitehall. Secretary of State (Portland) to Walpole. Desires to know whether the maroon who brought the petition can ascertain that it was authentic and witnessed, as it purports to be, by Fitzgerald. Col. Cor. N. S. vol. 28, p. 235

(Copy in Col. Off. N. S. vol. 2, p. 274.)

April 4, Whitehall. Secretary of State (Portland) to Wentworth. The immense expense and long continuance of the burden caused by the maroons; his duty as Lieut. Governor towards them. Col. Cor. N. S. vol. 28, p. 25

(Copy in Col. Off. N. S. vol. 2, p. 275).

April 4. Copy of charges made against the management of the maroons transmitted to Wentworth on the date in margin. Col. Cor. N.S. vol. 28, p. 29

April 6, Park Lane. Walpole to Secretary of State (Portland). The maroon who delivered the petition has returned to Halifax and cannot, therefore, give the required information. 239

April 18, Whitehall. Secretary of State (Portland) to Sewell. Has laid before the King the joint address of the Council and Assembly of Jamaica requesting that some mark of favour may be bestowed on the Earl of Balcarres; the address has been graciously received. 250

April 19, George Street. Sewell to King. Gives extract from a letter of Wentworth's to Lord Balcarres, dated in Halifax, 4th August, 1797, concerning the maroons. "At length they were prevailed on to complain. Petitions to the "King, privately and insidiously concealed from me were prepared, and "under the direction of Mr. Ochterlony sent home." Col. Cor. N. S. vol. 27, p. 226

(The year is not on the letter, but the reference to Wentworth's letter of August, 1797, indicates that it was written in 1798. The month and day are given.)

April 21, Halifax. Lieut. Allen to Wentworth. Enclosed in Wentworth's of 24th April, which see.

April 23, Halifax. Blowers to King. In case his letter of 7th March has not arrived, repeats his acknowledgments and forwards duplicate of his letter to the Secretary of State. Col. Cor. N. S. vol. 28, p. 282

April 23, Halifax. Prince Edward to Secretary of State (Portland). Dispatches received. Again represents the need of reinforcements to the full extent so often solicited. Col. Cor. N. S. vol. 30, p. 219

1798.
April 23, Halifax. Prince Edward to Dundas. Transmits monthly return.
Col. Cor. N. S. vol. 31, p. 109

Enclosed. Return.

April 23, Halifax. Prince Edward to Dundas. The first part of the regiment of the Irish Brigade arrived at the end of last November; the remainder was only collected during the last few weeks after having been buffeted about all over the coast. The moment these men begin to be of service, they are ordered away. To make an effectual resistance in case of attack, nothing short of two regiments, with a second company of artillery, will be sufficient. 112

April 24, Halifax. Wentworth to Secretary of State (Portland). Brenton desires to express his sense of the honour conferred upon him by his appointment to succeed Strange in the Council. The officers and men of the Royal Nova Scotia regiment give one week's pay (£199.12.10) towards the public service, and Capt. Allen of the same regiment gives half his pay during the war. The island of Jamaica not having provided for the support of the maroons, he (Wentworth) has been obliged to draw on the Treasury. Has written repeatedly to the Governor of Jamaica that all expenses incurred for the maroons are to the account of the island of Jamaica. Encloses accounts and vouchers for disbursements to the Indians. Col. Cor. N. S. vol. 28, p. 39

Enclosed. Lieut. John Allen to Wentworth, 21st August. Gives half his pay to carry on the war. 44

Accounts and vouchers for disbursements to the Indians. 46 to 84

May 3, Cole Harbour. Dr. Oxley to Wentworth. Enclosed in Wentworth's letter of the 23rd June, which see.

May 10, Halifax. Memorial of Capt. John Solomon. Enclosed in Wentworth's letter of 23rd June, which see.

May 12, Halifax. Wentworth to Secretary of State (Portland). The inhabitants of Halifax have subscribed nearly £4,000 sterling to aid Government in carrying on the war. Col. Cor. N. S. vol. 28, p. 88

May 12, Halifax. James Stewart to Thomas Coutts. Hopes to succeed to the office of Solicitor General for Nova Scotia and requests him (Coutts) to inform King of his pretentions to that office. 285

May 12, Halifax. Prince Edward to Dundas. Transmits monthly return.
Col. Cor. N. S. vol. 31, p. 118

Enclosed. Return.

May 17. Extract from a letter from the Bishop of Nova Scotia to the Archbishop of Canterbury, praying that in consideration of his failing health and advanced age he may have the help of a commissary.
Col. Cor. N. S. vol. 28, p. 314

May 24, Halifax. Blowers to King. Recommends James Stewart to succeed to the office of Solicitor General, vacant by the death of Sterns. 292

May 25, Whitehall. Secretary of State (Portland) to Prince Edward. Sends copy of letter to Prescott, informing him that Newfoundland is excepted from his command. Col. Cor. N. S. vol. 30, p. 223

(Copy in Col. Off. N. S. vol. 2, p. 277.)

May 31, Parliament Street. Unsigned (Dundas?) to Prince Edward. It is at present impossible to comply with the requisition for troops. Col. Cor. N. S. vol. 31, p. 114

June 7, Whitehall. Secretary of State (Portland) to Wentworth. Has informed the Treasury that he cannot recommend the payment of bills drawn on account of the maroons, as the expenses have to be paid by Jamaica; refers him to previous letters on the subject. The legislature has voted supply till July next and he has no doubt that Balcarres can induce it to take further measures. Has recommended payment, on account only, of bill drawn for the "Earl of Moira," which far exceeds the average cost. Col. Cor. N. S. vol. 28, p. 85

1798.

(Copy in Col. Off. N. S. vol. 2, p. 278.)

June 7, London. Coutts to King. Requests him to read letter from Stewart (enclose Col. Cor. N. S. vol. 28, p. 1

(For letter, see 12th May.)

June 8, Preston. Capt. Howe to Wentworth. Enclosed in Wentworth's letter of 23 June, which see.

June 8, London. Coutts to King. Stewart's application is to succeed Sterns, wh death is daily expected. Trusts Portland may signify to Wentworth approbation of the desired appointment. Col. Cor. N. S. vol. 28, p. 1

The following were enclosed in Wentworth's letter of 23rd Ju which see.

Address of the Legislative Council, 11th June.
Moody to Wentworth, 12th June.
Oxley to Wentworth, 16th June.
Captains of ships of war to Admiral Vandeput, 16th June.
Admiral Vandeput to Wentworth, 17th June.
Rev. Benjamin Gerrish Gray to Wentworth, 18th June.
Embarkation return, 19th June.
T. Chamberlain to Wentworth, 20th June.
Hartshorne & Tremain to Wentworth, 20th June.
Bulkeley to Wentworth, 20th June.
Wentworth to Admiral Vandeput, 20th June.

June 20, Whitehall. Secretary of State (Portland) to Sewell, agent for Jamaica. Resp ing the maroons and the necessity that the legislature of Jamaica m provision for their maintenance. Col. Off. N. S. vol. 2, p. 1

June 22, Halifax. Leonard to King. Has drawn on him for £500. There is no ship boat available and he must annually visit the whole coast or he can promote the views of Government. Col. Cor. N. S. vol. 28, p. 2

Enclosed. Correspondence between Liston, Temple and Leonard, lative to the trade and fishery in North America. 2

June 22. William Timms, messenger, memorial for an additional allowance £9.10 per month for five months, the length of time he had a st prisoner in his custody 3

Certificate of Richard Ancell, that messengers were allowed in t year 1794 £20 per month for the custody of state prisoners. Timms the only one who did not receive a similar allowance. 3

(The memorial is undated; the certificate, apparently attached to is dated as in margin.)

June 23, Halifax. Memorial by Leonard for Portland's support to enable him to car out the King's orders; must have a vessel and boats to be employ solely under his directions. 3

June 23, Halifax. Wentworth to Secretary of State (Portland). Is confirmed in l opinion respecting the state of the maroons. Transmits letters fr gentlemen employed amongst them.

Enclosed. Howe to Wentworth, 8th June. Describes the efforts Ochterlony to spread discontent among the maroons and his own deavours to carry out Wentworth's plans for their benefit.

Hartshorne & Tremain to Wentworth. Enclose certificate that t prices charged by them for flour &c., for the maroons, were lower th those fixed for the assize of bread, as an answer to the accusation agai him (Wentworth) that he had purchased from them when others w offering at a lower price. 1

This letter enclosed a certificate. 1

Dr. Oxley to Wentworth, 16th June. Having seen the anonym letter received by him (Wentworth), which not only casts reflecti on him (Wentworth) but on the rest of the gentlemen connected w the maroons, gives a long account of the measures taken f welfare and Ochterlony's schemes to baffle them.

1798.

John Moody to Wentworth, 12th June. As all the members of the maroon commission have been accused of interested motives in their efforts to settle these people, considers it the duty of each individual member to vindicate his conduct. Col. Cor. N. S. vol. 28, 112

Rev. Benjamin Gerrish Gray to Wentworth. Defends himself and him (Wentworth) from the anonymous charges brought against them for their management of the maroons. 115

Chamberlain to Wentworth, 20th June. His indignation against the authors of the charges made against him (Wentworth) with respect to the maroons; the failure of his efforts due to the unfaithful conduct of Ochterlony. Gives a long account of the work done among the maroons. 123

Oxley to Wentworth, 3rd May. Requests he may not be obliged to occupy part of the school house as ordered by Howe. 162

Memorial, 10th May, of Capt. Solomon, praying for promotion. 164

23, ax. Wentworth to Secretary of State (Portland). The General Assembly met on the 8th; transmits proceedings. Capt. Fawson of the "Moira" had an engagement with a French privateer which, however, managed to escape. Owing to the presence of the brig, three unarmed vessels, for which the privateer was lying in wait, arrived safely. 137

Enclosed. Journal of Assembly. 141

Address of the Legislative Council, 11th June. 144

(An extract from the journal).

Wallace to Wentworth, 23rd June. Has received a great part of the subscription for carrying on the war, in bills of exchange; shall only require from the deputy paymaster about £1,000 sterling in bills. 148

Same to the same, undated. Encloses bills to the amount of £2,621 10s. 11d. sterling on account of the voluntary contribution in aid of Government. 146

Embarkation return, 19th June, of the Royal Nova Scotia regiment for Cape Breton. 150

Account in the *Weekly Chronicle*, 23rd June, of the presentation of colours to the Royal Nova Scotia regiment by Prince Edward. 153

23, ax. Wentworth to Secretary of State (Portland). The Vice-Admiral and captains of the ships of war on the station consider Bulkeley unequal to the duties of judge of Vice-Admiralty; they desire that he will depute Brenton to act. Transmits representations on the subject. 154

Enclosed. Admiral Vandeput to Wentworth. Transmits letters from the captains under his command, and requests that the grievance complained of may be redressed. 156

Captains of ships of war in the port of Halifax to Vandeput, 16th June. Complain that many of the late decisions of the Admiralty court appear to be contradictory, and their interest and that of the other officers and ships' crews are materially injured. Request that an investigation be ordered. 156 A

Wentworth to Vandeput, 20th June. His letter and that from the captains have been laid before the Council. Encloses Bulkeley's answer. 158

Bulkeley to Wentworth, 20th June. The officers have the usual remedy for the grievance complained of—that of appeal. 157

26, ax. Wentworth to King. Begs him to present memorial to Portland. Recommends Barclay as a fit person to be consul at New York. The United States almost, if not completely, at war with France. 160

1, hall. Secretary of State (Portland) to Wentworth. The zeal of the officers and men of his regiment and the voluntary subscriptions of the inhabitants of Nova Scotia are sources of satisfaction to the King. There being no funds from Jamaica to meet the bills drawn for the maroons,

1798.

he has recommended the Treasury to pay
honour of Jamaica; hopes that a proper
from the island to take charge of subsisting

July 4, Whitehall. (Copy in Col. Off., N. S., vol. 2, p. 286).
King to Leonard. Transmits letter
Customs respecting his appointment of d
report on the subject.

July 5, Portland Place. Samuel Rogers to King. Has received
Boston, 15th May, stating that he had used
his imprisonment in France to get to his sta

July 7, Halifax. to sail for New Brunswick.

July 31, Whitehall. Journals of Legislative Council and As
worth's letter of 20th November.
Secretary of State (Portland) to Wentw
and enclosures respecting the maroons h
and also of the correspondence with Sewel
see the transaction in its proper light; desi
send accounts. The King's satisfaction at
lature and at the voluntary subscriptions
mitted to the Admiralty his letter respec
court of Vice-Admiralty in Nova Scotia.

August 1, Whitehall. (Copy in Col. Off. N. S., vol. 2, p. 291).
Secretary of State (Portland) to Wentv
lowell, although the restraining Act proh
does not prevent doing justice to an indiv
the mistake of a surveyor; he is, therefore
quantity of lands equal to those he lost by
allowed to occupy these until the withdr
permits of the land being made a perpetua

August 2, Whitehall. (Copy in Col. Off. N. S. vol. 2, p. 294).
Secretary of State (Portland) to Prince I
of the force necessary in Nova Scotia has b
him to previous letter respecting the comm

August 14, Halifax. (Copy in Col. Off. N. S. vol. 2, p. 297).
Prince Edward to Secretary of State (Pc
Several flagrant abuses exist in the militar
land; he was about to report these matters
but after His Grace's letter he must not int

August 14, Halifax. Same to Dundas. Feels that he has d
weakness of the means of defence at his d
request for a reinforcement cannot be comp

August 14, Halifax. Same to the same. Transmits monthly
An undated letter sends returns from Nov
for the island of St. John.

August 15, Fenchurch Street. Returns follow in both cases
Philip Sansom to King. Wishes to know
£500 will be paid when due.

August 16, Halifax. Wentworth to King. Is unable though ill
inhabitants of the province have subscribed
sent a diamond star to Prince Edward. The
of Government is still accumulating. The
some pieces of French cannon, brought fr
Liston advises acquiescing in the demand

1798.

King's interests throughout America. Prince Edward has met with an accident on horseback. Col. Cor. N. S. vol. 28, p 175

Enclosed. Address of the Governor, Council and Assembly to Prince Edward in presenting him with a diamond star, and Prince Edward's reply. 181

Wallace to the Governor. He is remitting by the "Resolution" about £900 sterling in government bills at par, on account of the voluntary subscription for carrying on the war. 183

August 19, Clandon House. Archbishop of Canterbury to Secretary of State (Portland), Encloses an extract from a letter lately received from the Bishop of Nova Scotia and recommends his request. 312

August 24, Halifax. Halliburton, surgeon, to Dr. Nooth. Details the condition of Prince Edward. Enclosed in Wentworth's letter of 12th September, which see.

Letters from Almon, surgeon, to Dr. Nooth, 25th August, from Prince Edward to Wentworth, 26th August, and to Prescott, 29th August, are enclosed in the same letter.

September 1, Halifax. Prince Edward to Secretary of State (Portland). In consequence of a fall from his horse, he is strongly advised to go to England. Encloses a letter for the King and requests Portland's good offices in case he has to quit his command without leave. Col. Cor. N. S. vol 30, p. 229

September 3, Whitehall. Secretary of State (Portland) to Wentworth. A quantity of French ordnance to be lent to the United States is to be returned to Halifax when demanded; he is to see that the pieces are delivered.

Col. Cor. N. S. vol. 28, p. 173

(Copy in Col. Off. N. S. vol. 2, p 298).

September 12, Halifax. Wentworth to King, Is still indisposed and unable to complete his public accounts. Prince Edward has suffered severely from the fall from his horse. Vindicates Barclay from the accusations made against him by an anonymous writer "Philocles." Col. Cor. N. S. vol. 28, p. 185

Enclosed. Halliburton, surgeon, to Dr. Nooth, 24th August. Details the condition of Prince Edward and the means taken for his relief. 192

Almon, surgeon, to Nooth 25th Aug. Gives an account of the accident to Prince Edward, the injuries he sustained and the treatment he has received. 194

Prince Edward to Wentworth, 26th August. Messrs. Halliburton and Almon advising his return home in consequence of his accident, he wishes to have the opinion of Dr. Nooth and requests that he (Wentworth) will permit the brig "Moira" to go to Quebec to bring that gentleman. 190

Prince Edward (unsigned) to Prescott, 29th August. Has met with a very severe accident by his horse falling upon him; requests that Dr Nooth may be sent to Halifax. Should he advise, as do the other doctors, that he should go to England, requests that he (Prescott) would sanction his (Prince Edward's) resigning the command. 196

September 12, Halifax Prince Edward to Dundas. Transmits monthly return.

Col. Cor. N. S. vol. 31, p. 150.

Enclosed. Return.

September 26, Halifax. Prince Edward to Secretary of State (Portland). Dispatch received. Regrets that the exigency of the public service does not admit of reinforcements being sent for the protection of Halifax and the province of Nova Scotia generally. Col. Cor. N. S. vol. 30, p. 233

September 26, Halifax. Same to same. As Dr. Nooth also advises him to go, he will leave about the 12th October in the "Topaz" frigate. Hopes that he (Portland) may prepare the King's mind to receive him favourably after an absence of thirteen years and a half. 231

September 29, Halifax. Account of the dreadful storm that occurred on the 27th, from the *Weekly Chronicle.* Enclosed in Wentworth's letter of 30th September, which see.

1798.
September 30, Halifax. Wentworth to King. Prince Edward
"Topaz" frigate about the 10th or 14th Oc
property caused by a dreadful hurricane th
harbour. Introduces Lawrence Hartshorne
can give detailed information of the damag

Enclosed. Account of the storm.

October 3. Copy of obligation by United States Secr

October 15, Boston. Liston to Wentworth.
The two immediately preceding documen
letter of 17th November, which see.

October, 16, Halifax. Prince Edward to Dundas. Transmits m
(

Enclosed. Returns.

October 19, Isleworth. Blair to King. The mandamus for a gra
from the Privy Council Office on the 6th Fe
King to forward to the Governor of Nova S
on the 18th June, 1798. (

October 25, Providence, R. I. Declaration as to the true river St. Croi
letter of 17th November, which see.

November 2, Halifax. Wentworth to Secretary of State (Portla
Council. (

November 9, Whitehall. Secretary of State (Portland) to Wentw
the Treasury of bills drawn for the expen
his surprise at the great increase since he
to employ the vessel; an explanation of th
The accounts, also, are unsatisfactory.
(Copy in Col. Off. N. S. vol. 2, p. 300.)

November, 10, Whitehall. King to Wentworth. Transmits report
that there do not appear to be sufficient
deputated by Bulkeley to officiate in his
Admiralty Court.

November 10, Halifax. ———to Dundas. Transmits monthly
(

Enclosed. Return.

November 12, Halifax. Memorial of Moses de les Dernier. Enclos
of 26th July, 1799, which see.

November 14, Halifax. Memorial of John Butler Butler and Geo
for a grant of land. (

November 17, Halifax. Wentworth to Secretary of State (Por
entreats for indulgence respecting the pul
authorised Brenton to act as his deputy in
and given him the whole of the emolume
abstracts and vouchers for expenditures on
are improving in industry and are settling
(

(An extract is in Portland's of 4th Januar

Enclosed. Copy of the obligation entere
Secretary of War to reland the cannon lent
British Government free of expense in
American Dominions if required.
(Another copy is at p. 224).

Liston to Wentworth, 15th October. Th
two armed vessels to Halifax, to fetch the
the "Foudroyant."

Declaration of commissioners appointed
Croix, 25th October.

1798.
November 17, Halifax. Brigadier Murray to———. Has delivered the cannon and shot to Captain Sever, agreeable to an arrangement made by Prince Edward before sailing for England. Col. Cor. N. S. vol. 28, p. 222

November 17, Old Brompton, Richard Bulkeley to King. Complaints having been made to Portland respecting the proceedings of the court of Admiralty in Nova Scotia, which tend to the prejudice of the judge (his father,) trusts he may have an opportunity of replying to the charges. 318

November 20, Halifax. Wentworth to Secretary of State (Portland). Transmits proceedings of the General Assembly; gives list of Acts passed, with remarks. Col. Cor. N. S. vol. 33, p. 35

Enclosed. Journal of Legislative Council, from 8th June to 7th July. 99

Journal of Assembly for the same period. 130

December 10, Halifax. Wentworth to King. Family matters. Reported death of Temple at New York; recommends Barclay to succeed as consul. Laments the dissensions at Quebec. (For the quarrels between Prescott and his Council, see Archives, series Q, vols. 80 to 83). Inconvenience caused by the delay in sending the estimates. Change of feeling in the United States towards Great Britain and complaints of heavy taxation; application from 300 families to remove from the United States to Nova Scotia; if lands were granted, points out the value of such an immigration. A. & W. I. vol. 598

December 18, Clermont, N.S. Memorial of the Bishop of Nova Scotia for the appointment of an ecclesiastical commissary, with a salary. Col. Cor. N. S. vol. 34, p. 445

December 28. Bishop of Nova Scotia to the Society for the Propagation of the Gospel. The missionaries have received no allowance from Government, owing to the estimate for 1798 not having arrived. It would be more convenient were they allowed to draw on the provincial agent in London; hopes the society will aid in effecting this change. Col. Cor. N. S. vol. 29, p. 253

No date. Petition of the maroons, complaining of their removal from Jamaica to Halifax. Col. Cor. N. S. vol. 28, p. 18

(A duplicate is at p. 272.)

1799.
January 3, Whitehall. King to Wentworth. Transmits estimate for 1799. Col. Off. N. S. vol. 2, p. 305

January 4, London. Thornton to Secretary of State (Portland). Transmits petition from the maroons in Nova Scotia. Col. Cor. N. S. vol. 29, p. 210

Enclosed. Petition to the House of Commons, undated. 212

January 4, Whitehall. Secretary of State (Portland) to Thornton. Acknowledges receipt of petition, but has some doubts of its genuineness; encloses extract from a letter of Wentworth's, dated 17th November, 1798, showing his opinion of the progress the maroons are making. Will forward petition and letter to Wentworth. 215

Enclosed. Extract from Wentworth's letter; the whole letter will be found at its date, 17th November.

January 11, Whitehall. Secretary of State (Portland) to Wentworth. The cannon from Halifax are to be presented unconditionally to the United States, instead of being lent. Col. Off. N. S. vol. 2, p. 306

January 17, Whitehall. Same to the same. Transmits what purports to be a petition from the maroons to ascertain if it is genuine and how it could have been sent without his knowledge. To report the actual state of the maroons and when they may be expected to subsist themselves. Col. Cor. N. S. vol. 29, p. 1

(Copy in Col. Off. N. S. vol. 2, p. 307.)

January 20, Whitehall. Secretary of State (Portland) to Wentworth. Barclay to be appointed to the Council. His satisfaction at the report of the loyalty, harmony and prosperity which prevail. Refers him to previous letters on the subject of the maroons. His ignorance of what provision has been

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made in Jamaica; the caution to be observe
municated to Grenville the part of the let
ings of the boundary commissioners.

(Copy in Col. Off. N.S. vol. 2, p. 308, wh

January 25, Whitehall. Secretary of State (Portland) to Wentw
accounts to the various departments to
serious attention to the necessity of provid

Copy of observations on accounts sent by
maroons, transmitted on this date to Went

February 24, Whitehall. King to Portland (unsigned and unaddre
of the Sierra Leone company with a note f
maroons in Nova Scotia. Advises their rer
account, they will never settle in Nova Scot
ment is not to be relied upon in the matter

Enclosed. Thornton to King. Encloses
court of directors of the Sierra Leone com
maroons. A ship is likely to sail to Africa
sired to send orders if possible.

Resolution of the directors that they will
superintendence of the maroons if they ar
hood of their colony.

March 5, Whitehall. Secretary of State (Portland) to the Sier
for communication respecting the propos
from Nova Scotia to Africa. The impor
time should be lost in effecting so desirable
structions may be sent to the Governor t
coast that may be required for their establ
expense might be met by the exportation to
that being the best market, and also to send
may require; they will carry with them in
necessaries. The expense of their subsister
soon as they can subsist themselves.

(Copy in Col. Off. N.S. vol. 2, p. 312.)

March 11, Coleman Street. Thornton to King. Respecting the settl
Sierra Leone company.

Enclosed. Resolution of the Sierra L
Desire the Government to dispatch a cutter
to apprise the Governor and Council of the
maroons.

March 19, Coleman Street. Thornton to King. The "Triton" order

March 22, Coleman Street. Same to the same. Sends with this a lett
(Portland) and a copy of that part of th
Leone directors which respects the settleme

Enclosed. Thornton to Portland. Sends
directors of the Sierra Leone company.

Copy of part of the dispatch of the Sier
Governor and Council respecting the settler

April 3, Halifax. ——— to Dundas. Transmits monthly

Enclosed. Return.

April 10, Halifax. Wentworth to Secretary of State (Portla
coin in the province, considers the proclam

1799.
pril 13, Wentworth to Secretary of State (Portland.) Transmits accounts
alifax. and vouchers to December last for subsistence and settlement of maroons. The settlers at Boydville are industriously pursuing their labours; those at Preston are still deluded with schemes of returning to Jamaica. Those that refuse to work shall receive no further supply of provisions.
Col. Cor. N. S. vol. 29. p. 22

pril 14, Same to King. His state of health. Sends specimens of the progress
alifax. made in the Maroon schools. The difficulties with the men; they neglect cultivation, hoping to be kept in idleness. Expected arrival of the "Earl of moira" from New York, with the January and February dispatches, hopes she will bring in the French brig loading with provisions for Guadaloupe, covered under American names. It is supposed there are important papers from the Jacobin family concealed in the packages. Confinement of Miller and Parson Cossit in gaol at Cape Breton on some paltry charge. Happy state of Nova Scotia. Memorial enclosed.

Enclosed. Memorial from Sybilla Margaret, widow of Houseal, missionary to the Protestant Germans at Halifax, for a pension.

Specimens of papers by boys in the maroon school at the examination.

pril 17, Letter and enclosures in A. & W. I. vol. 598.
ower Street. Morice to King. Sends extract from a letter from Bishop of Nova Scotia. Col. Cor. N. S. vol. 29, p. 251

pril 25, (For enclosure see 28th December.)
alifax. Wentworth to Secretary of State (Portland). Has removed into the country on account of his health; the province being in a peaceable state, his presence in town is not necessary. Encloses memorial from the German congregation of Halifax, which he recommends.
Col. Cor. N. S. vol. 29, p. 27

Enclosed. Petition, same date, from the German congregation of St. George's Church, Halifax, praying that the Rev. George. Wright may be
ay 2, appointed their minister. 29
alifax. Vieth to the Bishop of Nova Scotia. Enclosed in Wentworth's letter
ay 4, of 17th August, which see.
alifax. Memorial of Margrett, widow of Foster Hutchinson. Enclosed in
ay 5, Wentworth's letter of 5th May, which see.
alifax. Wentworth to Secretary of State (Portland). Dispatches received. Will reply to the memorial of the maroons, that if it had not been for the machinations of artful and designing men they would long ago have been reconciled to the soil and climate of the country. Encloses memorial from Mrs. Hutchinson and letter and petitions from the maroons.
Col. Cor. N. S. vol. 29, p. 31

Enclosed. Memorial of Widow Hutchinson, that the pension allowed to her husband may be continued to her. 33

Petition from the maroons, 5th May Represent the need they have of an addition to their stock; they thankfully recognize his kindness and liberality towards them and disapprove of the mistaken conduct of their brethren at Preston. The school at Preston is too far distant to be of any use to their children, they are anxious for instruction. 35

Benjamin Gray (a maroon) to Wentworth. Is about to be married and desires assistance. The woman can spin, knit, sew, cook and wash. 37

ay 15, Duke of Kent to Dundas. Sends memorandum repecting the various points
ensington to be settled before his departure for America. Col.Cor.N.S.vol.31,p.163
lace.

Enclosed. Memorandum. Desires that his command may be precisely of the same extent as that of the admiral on the Halifax station and that Bermuda may be included in the commission. Requests that Newfoundland may be mentioned in the most pointed and clear manner in his commission to avoid misapprehension and disputes with the admiral. Suggests that there should be a commissary general and bar-

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rack master general for the whole of the North American provinces, these officers to be responsible for the conduct of those under them, which would tend to prevent abuses in their respective departments.

May 18, Madras. Col. Cor. N. S. vol. 31, p. 165.

Strange to King. Reminds him that Hutchinson is a fit person for the Bench of Nova Scotia. Col. Cor. N. S., vol. 29, p. 273.

May 18, Madras. (Duplicate at p. 271).

Strange to Wickham. Recommends Foster Hutchinson (lineally descended from Governor Hutchinson of Massachusetts) for a seat on the Bench of Nova Scotia. Requests him (Wickham) to mention the matter to Portland and King. 281

May 21, Clermont, N.S. Bishop of Nova Scotia to Veith. Enclosed in Wentworth's letter of 17th August, which see.

May 23, Halifax. Wentworth to King. Long account of the condition of the maroons; the intrigues carried on to make them discontented, &c. The reported negotiation with the Sierra Leone Company to remove the maroons to Africa. Their determination to get to Jamaica, so that precautions must be redoubled there; had the maroons been left alone they would have been a quiet and happy people. A. & W. I. vol. 598

May 23, Annapolis Royal. Deposition by Barclay respecting the maroons, and the efforts made by Wentworth to provide for them and to lessen expenditure. A. & W. I. vol. 598

May 24, Halifax. Wentworth to King. Approves of the transfer of the maroons to the Sierra Leone Company; how the cost of their removal could be lessened; the satisfaction of the inhabitants at their being taken away. A. & W. I. vol. 598

May 25, Halifax. Deposition of Thomas Barclay. Enclosed in Wentworth's letter of the 30th May, which see.

July 27, Halifax. Wentworth to King. Arrangements for conveying Barclay to his consulate were approved of by Murray, who afterwards changed his mind and interposed obstacles; he (Wentworth) will carry out the first arrangement. Encloses correspondence with Murray on the subject.

May 30, Halifax. The correspondence follows. A. & W. I. vol. 598

Wentworth to Secretary of State (Portland). Gives an account of the condition of the maroons; encloses a statement of facts, with depositions and letters relating to the settlement. Col. Cor. N. S. vol. 29, p. 50

Enclosed. Statement of facts, 29th May, respecting the settling of maroons in Nova Scotia, signed by Wentworth. 56

Deposition of Thomas Barclay, 25th May, that Wentworth had done all in his power for the comfort and welfare of the maroons, but that his efforts were frustrated by evil disposed persons. Wentworth derived no benefit from the maroons; on the contrary, he had been put to expense and inconvenience. 74

May 30, Halifax. Wentworth to Secretary of State (Portland). Dispatches received. Barclay has been unable to take his seat in Council, to which he was nominated; his duties as Consul General to the Eastern United States require his constant residence in New York. Has received circular letter respecting the islands in Passamaquoddy Bay. 76

May 30, Whitehall. Secretary of State (Portland) to Wentworth. Has received notice from the Treasury that he has drawn bills for the subsistence of the maroons. Although repeatedly desired to send vouchers with all accounts, these orders have been disregarded, so that he will stand personally charged with the amount of every bill drawn on the Treasury. In the meantime, to save the heavy charge for protesting, has recommended payment. Has transferred to the Treasury the accounts for the maroons to 31st December, to be examined by the proper departments

1799.

calls attention to the inaccuracies in the abstracts and accounts, and is surprised that the accounts last received contain charges for expenditures so far back as 1797. Col. Cor. N. S. vol. 29, p. 38

(Copy in Col. Off. N. S. vol. 2, p. 318.)

May 31, Dartmouth. Fraser, surgeon to the maroons, to Wentworth. Has not been able to trace the smallest symptom of distress or suffering by a scarcity of provisions among the maroons, although the allowance has been stopped. The soil allotted to them is good, and if they had worked, each family might now have supported itself. Col. Cor. N. S. vol. 29, p. 70

June 2. Duke of Kent to Dundas. States the number of troops necessary for the defence of British North America.

Col. Cor. N. S. vol. 31, p. 169

Enclosed. Recapitulation of the number of troops requisite. 173

June 4, Kensington Palace. Vesey to Wichkam. The Duke of Kent hopes that the allowance to French emigrants in Nova Scotia may not be discontinued.

Col. Cor. N. S. vol. 29, p. 255

June 10, Whitehall. Secretary of State (Portland) to Wentworth (secret). Respecting maroons. 42

June 10, Whitehall. Same to the same. Approves of his not issuing the proclamation against base coins, there having been no necessity to do so in his province. Refers to previous letters on the maroons. The recommendation of Wright would incline him to recommend his appointment to be minister of the German congregation, but that is subject to the jurisdiction of the Bishop of Nova Scotia. Sees no reason for erecting the German church into a separate parish, although it is right that the property and privileges belonging to the church and burying ground should remain unaltered. 47

(Copy in Col. Off. N. S. vol. 2, p. 323.)

June 17, Gower Street. Morice to King. Intimates the hope of the Society for the Propagation of the Gospel, that another Government allowance may be granted for Nova Scotia in the next estimates.

Col. Cor. N. S. vol. 29, p. 257.

June 17, Gower Street. Same to the same. The Society considers Wright a very proper person to succeed Houseal as minister of the German congregation at Halifax. 259

June 24. Prince Edward to Secretary at War (extract). Enclosed in the Duke of Kent's letter of 17th September, which see.

June 24, Freetown. Governor and Council of Sierra Leone to Prescott and Wentworth. Trust that if one of His Majesty's ships convoy the transports, she may remain some time for the protection of the settlement. Request that a few guns should be sent. Detail the preparation making for the reception of the maroons, who will probably be placed on a small island called the Bananas. They particularly request that the express terms of their admission may be read and explained to them.

Col. Cor. N. S. vol. 29, p. 200

June 26, Downing Street. Dundas to Secretary of State (Portland). Enclosed in the Duke of Kent's letter of 9th September, which see.

June 27, Whitehall. Secretary of State (Portland) to Dundas. Enclosed in the Duke of Kent's letter of 9th September, which see.

June 27, Halifax. Certificate to the master of the "Nelson". Enclosed in Wentworth's letter of 29th September, which see.

July 2, Halifax. Wentworth to Secretary of State (Portland). The General Assembly convened; encloses his speech and the answers; the revenue bill not passed. Encloses the deposition of Capt. Moody relating to maroon affairs. Col. Cor. N. S. vol. 29, p. 84

Enclosed. Speech, addresses, &c.

(These are extracts from the journals).

1799.

Deposition of Capt. Moody relating to

July 3, Halifax. Wentworth to King. Arrival of L college at Windsor has now rooms to ac the arrangements for their comfort. ter and a proper president is required; our of Ashley of Brazenose, Oxford; th

July 9, Whitehall. King to Brownrigg. Enclosed in Du

July 13, Whitehall. ber, which see. Secretary of State (Portland) to W Brownrigg to King, enclosing one from standing as to the command of the troo February, 1765.

July 15, Halifax. (Copy in Col. Off. N. S. vol. 2, p. 325 Deposition of Wallace. Enclosed in

July 17, Whitehall. which see. King to Wentworth. Requests his c quire a new mandamus before taking h

July 17, "Royal William." Parker to King. Has delivered to C the packet addressed to the Duke of K

July 17, Horse Guards. Brownrigg to King. Wentworth's l the commander-in-chief, who intends to priety of removing General Murray fro

July 18, Whitehall. Secretary of State (Portland) to Wer of Kent in the advantages of making th serve in any province, but as they wer serve only in their own province, a cha the voluntary act of the men. From p made by the Nova Scotian regiment ha tarily extend its services, in which cas the Duke of Kent to carry it out.

(Copy in Col. Off. N. S. vol. 2, p. 326

July 19, Halifax. Blowers to Wentworth. Enclosed July, which see.

July 20, Halifax. Wentworth to Secretary of State (the Council.

July 21. Duke of York to Duke of Kent. letter of 9th September, which see.

July 22, Halifax. Wentworth to Secretary of State passed, the appropriation bill is now the accounts of the Royal Nova Sco Wallace, relative to maroon affairs.

Enclosed. Deposition, dated 15th Ju to maroon affairs.

Blowers to Wentworth, 19th July. Scotia regiment have been audited by t cannot be examined till after prorogati

July 24, Halifax. Journals of Council and Assembly. of 24th May, 1800, which see.

July 26, Transport Office. Captain George to King. Transmits land.

Enclosed. Memorial of Moses De L (Portland). Prays for a grant of 20,0 sideration of his services. The memor dated 12th November, 1798.

1799.
gust 10, allerton. Walpole to Secretary of State (Portland). Sends petition from the maroons in America. As His Grace doubted the genuineness of a former petition, has endeavoured to verify the signatures of the enclosed, but without success. Col. Cor. N. S. vol. 29, p. 267

Enclosed. Petition of the maroons to the King, dated ——— August, 1798. 269

gust 16, alifax. Ogilvie to Dundas. Forwards the return of the Royal Nova Scotia regiment, dated 1st August. Col. Cor. N. S. vol. 31, p. 174

Enclosed. Return. 176

gust 17, alifax. Wentworth to Secretary of State (Portland). Dispatches received; will be prepared to embark the maroons when the ship arrives. Encloses two letters respecting the succession of Wright to the church occupied by the late Mr. Houseal. 120

Enclosed. Adolphus Vieth, elder and trustee of the German congretion of St. George to the Bishop of Nova Scotia, dated 2nd May. The Rev. George Wright having been chosen as the minister by a large majority of the congregation, a small number desire to have a German appointed, he (Vieth) desires the Bishop to express his opinion on the subject. 126

Bishop of Nova Scotia to Vieth. Assures him of his wish to serve the congregation. Speaks highly of Wright's character and abilities and thinks it more advisable to have an English than a German minister. 128

gust 17, alifax. Wentworth to Secretary of State (Portland). The session closed on 24th July. Transmits speech, &c. 130

Enclosed. Speech, &c., extracted from the journals.

gust 18, alifax. Wentworth to Secretary of State (Portland). Gives an account of several attempts to set fire to the dockyard, a reward of £200 has been offered for the discovery of the offenders. Col. Cor. N. S. vol. 29, p. 138

gust 18, alifax. Wentworth to King. The past session has not been so good humoured as formerly, chiefly owing to the machinations of Tonge, who has also not a little assisted in causing the discontent of the maroons. Encloses specimens of the hand writing of the maroon school boys. Is taking every precaution for the safety of the dockyard. Capt. Thompson wishes to continue in the post office service, requests him (King) to promote his wishes. The college at Windsor is now ready for the patent of incorporation; desires that the Rev. Mr. Ashley of Brazenose, Oxford, may be immediately sent out as president. 142

Enclosed. Five specimens of the hand writing of maroon school boys. 148

ptember 17, hitehall. Secretary of State (Portland) to Wentworth. Repeats that vouchers must be sent with bills drawn on the Treasury; refers to those for subsistence of the maroons and for the hire of the "Earl of Moira." No further bills will be paid without vouchers; he has only recommended payment of the present bills on account and to stand as a personal charge against him (Wentworth). 115

(Copy in Col. Off. vol. 2, p. 328).

ptember 9, hitehall. Secretary of State (Portland) to Wentworth. Is glad to find that the revenue bill had been agreed to, as it would have been detrimental to the province had it been rejected. The importance of the insolvent bill. Refers him on the subject of maroons to letter of 10th June. Col. Cor. N. S. vol. 28, p. 118

(Copy in Col. Off. N. S. vol. 2, p. 332).

ptember 9, alifax. Duke of Kent to Wentworth. Enclosed in Wentworth's letter of 26th September, which see.

ptember 14, Fourchu. Robertson to Foreman, Grassie & Co. Enclosed in Wentworth's letter of 29th September, which see.

1799.
September 17, Halifax. Prince Edward to Secretary of State (Portland). Has received warrant as Commander-in-Chief to empower General officers commanding the several districts to convene courts martial, but has received no authority to delegate his power of putting into execution such sentences as the courts may award. Col. Cor. N. S. vol. 30, p. 235

Enclosed. Prince Edward to the Secretary at War, 24th June, (extract). On the subject of putting into execution the sentences awarded by court martial. 237

September 26, Halifax. Wentworth to Secretary of State (Portland). Dispatch, with enclosures, received. Regrets that a remark of his made at an entertainment given by Brigadier General Murray should have given rise to apprehensions that he (Wentworth) intended to extend his military power and caused Murray to report such a trivial matter to the Duke of York. Col. Cor. N. S. vol. 29, p. 166

Enclosed. Duke of Kent to Wentworth, 9th September. Communicates His Majesty's pleasure that the provincial corps should be placed on the footing of fencibles and encloses papers for his information. 170

Dundas to Secretary of State (Portland), 26th June. The Duke of Kent, having been appointed Commander-in-Chief in British North America, has suggested that the provincial regiments should be placed on the footing of fencibles to serve throughout North America generally; desires that the Governors of the several provinces be instructed accordingly. 176

Secretary of State (Portland) to Dundas, 27th June (unsigned extract.) The services of the provincial regiments being confined to their respective districts, any extension must be voluntary on their part. 180

King to Brownrigg. Transmits letter from Portland to Dundas, desiring him to lay it before the Duke of York. 173

Duke of York to Duke of Kent, 21st July (extract). His Majesty approves of the provincial corps in North America being placed on the footing of fencibles, the measure not to be carried into execution until the dispositions of the corps are ascertained. 174

September 27, Halifax. Wentworth to Secretary of State (Portland). Dispatch, with enclosures received, recommending that the provincial regiments should be put on the footing of fencibles. The regiment of Nova Scotia cheerfully acceded to the project; encloses copy of their address. 168

Copy of address (with signatures) to Wentworth from the Royal Nova Scotia regiment (undated) expressing their willingness to accept the rank of fencibles and to serve in any part of the continent of North America. 182

September 27, Halifax. Wentworth to King. Safe arrival of the Duke of Kent after a passage of 43 days; he has entered upon his command with great activity. Butler's situation as deputy commissary general would not permit him to attend the Council regularly, it would, therefore, be inexpedient to appoint him; Brenton is admitted to the only vacant seat. Recommends Belcher and Forsyth for the next vacancies. Trusts if his regiment is to be made completely fencible, that he may receive the usual pay and emoluments. 183

September 29, Halifax. Same to Secretary of State (Portland). Encloses letter of service for the schooner "Nelson"; not having letters of marque, a prize she captured was taken possession of by H.M.S. "Brunswick." Requests he may be furnished with the usual authority to issue letters of marque and reprisal. 187

Enclosed. Certificate, 27th June, granted by Wentworth to the master of the schooner "Nelson." 189

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Robertson to Foreman, Grassie & Co. In consequence of the deficient commission of the schooner "Nelson," H. M. S. "Brunswick" took possession of a prize she had captured. Col. Cor. N. S. vol. 29, p. 190

Capt. Freeman's report of a cruise in the "Charles Mary Wentworth" and his proceedings against His Majesty's enemies. 192

September 30, Halifax. Wentworth to Secretary of State (Portland). Has not been able to discover the incendiary who endeavoured to destroy the dockyard, although the reward was increased from £200 to £600. Considers it was the work of individual malice and not a concerted plan. 194

October 8, Whitehall. Secretary of State (Portland) to Wentworth. Sends this letter by Ross, who is to take charge of the maroons, as agent for the Sierra Leone Company. 157

(Copy in Col. Off. N. S. vol. 2, p. 334.)

October 9, Whitehall. Secretary of State (Portland) to Wentworth. The fear and dislike of part of the maroons to accompany the rest to Sierra Leone; all, however, must be embarked without exception. The eight families who are incorrigibly bad should not be allowed to settle with the rest, but should be set down by themselves on some other part of the coast of Africa, with a sufficient supply of provisions &c. There should be no difficulty before their departure to reconcile quarrels among the maroons; but as they are to retain no weapons, no serious danger is to be apprehended. Refers to previous letter respecting the German congregation of St. George's Church; he shall take the King's pleasure on the proposal that £200 be granted towards enlarging or rebuilding the church. Congratulates him on the conduct of the General Assembly; the money granted to repair the post roads will be of advantage and the sum for the erection of a mansion for the Lieut.-Governor is a flattering mark of attention to His Majesty's representative. His concern at attempts to set fire to the careening yards; hopes the precautions taken will prevent the execution of so wicked a design. Col. Cor. N. S. vol. 29, p. 159

(Copy in Col. Off. N. S. vol. 2, p. 335.)

October 19, Whitehall. Secretary of State (Portland) to Wentworth. In consequence of restrictions lately imposed by the Emperor of Russia on the exportation of timber, the Admiralty represent that it would be a material advantage if masts, spars and deals could be imported from the United States to be deposited in Halifax for the use of the Navy. He is, therefore, to allow such importation and a bill of indemnity shall be submitted to Parliament to sanction the proceedings. Col. Off. N. S. vol. 2, p. 340

October 22, Halifax. Wentworth to Secretary of State (Portland). The transport "Asia" will bring one of the regiments ordered to Halifax. The maroons shall be embarked without delay on arrival of the transports. Sends letter from the Governor and Council of Sierra Leone, respecting the maroons. Col. Cor. N. S. vol. 29, p. 192

(For enclosure see at its date, 24th June.)

November 6, Clifton. Sabatier to King. Respecting the appointment of his brother-in-law, Foster Hutchinson, to a legal appointment in Nova Scotia. Col. Cor. N. S. vol. 29, p. 275

November 9, Sierra Leone office. Zachary Macaulay to King. The slave-traders are inimical to the work of the company; desires that Government may dispatch an armed vessel to Sierra Leone for the protection of the settlement. 277

November 19, Augsburg. Wickham to the same. Transmits letter from Strange recommending Foster Hutchinson. 279

(For enclosure see at its date, 18th May.)

November 22, Halifax. Duke of Kent to Secretary of State (Portland). Reports the unexpected arrival of the Duke of Orleans and his brothers, which has placed him in a most embarrasing position. Mathews, Attorney-General of Cape Breton, being represented as a man of a very turbulent and vindic-

1799.

tive disposition, advises his recall, which existing feuds and controversies in that isl

November 27, Halifax. Wentworth to King. The brig "Earl her convoy from Quebec, after a most directed the master of the "Asia" to be v maroons are exceedingly disposed to misc regiment is at a loss to conceive what is [for its establishment] as it was originall always volunteered for every duty prop disturbing the peace of the province by Duke of Orleans and his two brothers a with the Duke of Kent and left for N England.

December, 3, Halifax. Same to the same. Wrote on 29th (th 26th regiment has embarked on board t sailors to navigate the vessel will delay t if any proper vessels can be had, will hi the "Asia" is ready.

December 8, Halifax. Duke of Kent to Dundas. Gives a state North America and an estimate of that w necessary. The Newfoundland fencibles set of men; two thirds being United Irish if possible to some other station.

December 19, Halifax. List of effects furnished by Madame army during the three months the troops (The claim was attested before Judge Bre the margin; so far as can be made out, it pation of St. Domingo, which was place 1793.)

December 20, Halifax. Wentworth to Secretary of State (Po attention, as directed, to the right of wate Transmits six documents to prove the islands in the Bay of Passamaquoddy.

Enclosed. (1). Extracts from the reco Scotia.

(2). Plan of that part of the Bay of Fundy

(3). Extract from grant of King James to

(4). Extract from commission to Gover the boundaries.

(5). Extract from Act of Parliament sec. 12.

(6). President Adam's deposition co

December 21, Halifax. Croix.

Wentworth to Secretary of State (Port regulations of 10th September, respecting

December 21, Halifax. due obedience shall be paid.

Disputes among various parties in the U

December 21, Halifax. the *Weekly Chronicle.*

Wentworth to King. Will transmit re vincial business; the province has been commerce.

December 21, Halifax. Same to Secretary of State (Portland). by Ross, employed by the Sierra Leone Co to Africa. Has not been able to hire tran accommodate the maroons. The German c England are thankful for the arrangeme chapel of ease to the Rectory of St. Paul's.

1800.
January 15, Halifax. Duke of Kent to Dundas. Has purchased a vessel for the purpose of conveying dispatches from headquarters to the distant parts of the command; requests that an order be obtained to fit out the vessel and repair her from time to time in the dockyard at Halifax.
Col. Cor. N. S. vol. 31, p. 187

January 20, Halifax. Wentworth to King. The transport "Asia" cannot leave Quebec this winter, and there are no vessels in the harbour capable of conveying the maroons to Sierra Leone. Great scarcity of cash, all money being sent to the United States, where it is at a premium of 14½ per cent.
Col. Cor. N. S. vol. 32, p. 145

(Duplicate in vol. 33, p. 27).

January 20, Whitehall. Secretary of State (Portland) to Wentworth. Has transmitted to the Duke of York and to Dundas the report of the alacrity with which the officers and men of the Royal Nova Scotia regiment at and near headquarters had acceded to the proposal of putting the regiment on the footing of fencibles, and that it was expected the detachments at the outposts would do the same. The prize money for the capture made by the "Lady Nelson" should go to the owners, officers and crew; H. M. S. "Brunswick" has no claim to it; how those concerned are to substantiate their claim. Is surprised at the requisitions from Sierra Leone, and no less at his idea for a moment of complying with them. Clothing and provisions for the maroons are to be sent from London, and they are to be ready to embark with their implements of agriculture and other effects immediately after the arrival of the "Asia" at Halifax; he is not to purchase the brandy and tobacco he spoke of. Since writing the above he (Portland) has received dispatch that the "Asia" is detained at Quebec and cannot sail this season, and that he has purchased the brandy and tobacco in direct contravention of orders; he is to sell these articles, drawing on the Treasury for the loss only, or if he has already drawn for the whole amount he is to remit the proceeds. All he has to do with the maroons is to see that they are ready and to have them embarked; as soon as possible after that he is to dispose of their lands, buildings and the effects they have left to compensate, as far as the proceeds will go, for the expense attending them.
Col. Cor. N. S. vol. 33, p. 19

(Copy in Col. Off. N S. vol. 2, p. 342).

February 12, Coleman Street. Thornton to King. Has received letter from Ross, who reports that the maroons are willing to go on the terms proposed; the "Asia" had not then arrived, and the freight asked by the Halifax shipowners was considered by Wentworth as too high. No ground has yet been bought for the maroons at Sierra Leone. There is dread of an attack by French frigates, and the Sierra Leone Company is sending out an armed ship. Gives particulars respecting Sierra Leone, its forts, &c.
Col. Cor. N. S. vol. 34, p. 449

February 13, Whitehall. King to Thornton. The "Asia" is locked up in the ice at Quebec; another vessel will be sent for the maroons, with the same quantity of stores, &c., as were sent by the "Asia." Wentworth has unadvisedly bought stores at Halifax on the requisition of the Governor and Council of Sierra Leone, who did not know that the stores were to be sent out in the vessels intended for the conveyance of the maroons. 453

February 23, Halifax. Wentworth to King. Reports the ill health of himself and family. The Assembly convened; a reduction of duties proposed. The factious course of Tonge; his attempt to supplant Uniacke as speaker checked by a great majority against his proposal. Tonge's attempts to embarrass the government have always been unsuccessful, yet he perseveres Ships to carry the maroons to Sierra Leone cannot be obtained. The date when the ships ought to leave, so as to avoid the rainy season on the coast. The maroons are ready to embark at an hour's notice; Tonge

1900.

is trying to keep two families but shall not be allowed. It was fortunate the "Asia" did not arrive, as she imported a putrid fever into Canada, afterwards conveyed to Cape Breton in the "Hope," which was driven ashore in a snow storm; deaths of people in the hospital from the infection; everything in contact with the sick recommended to be burned. Sends return of the Royal Nova Scotia Regiment; its employment on outpost duty. Bernard will be appointed agent for the province instead of Cumberland. Has been informed that naval stores are to be imported from the United States for the careening yard; suggests a bounty on timber imported from the colonies into the United Kingdon; the value of various kinds of timber, &c. The good health of Prince Edward. He (Wentworth) is sending apples to him (King). The attempt of the Assembly to increase rather than to lessen duties, the country members being desirous of this as their constituents contribute little and draw considerable grants. A. & W. I. vol. 598

February 24, Halifax. Beckwith to Lord Newark. Asks His Lordship's influence towards obtaining for him the office of prothonotary. Col. Cor. N. S. vol. 34, p. 457

February 26, Halifax. Wentworth to King. The Assembly has voted Tonge ineligible for the county of Halifax; Wallace has been re-elected and taken his seat. Col. Cor. N. S. vol. 33, p. 33

February 27, Halifax. Wood to King. Asks him to remind Dundas of his promise of an appointment made in 1793 and to obtain for him the office of prothonotary. Col. Cor. N. S. vol. 34, p. 477

Enclosed. Copy of memorial by Wood to Parr, dated 3rd May, 1787, that he should not be suspended from his office until he could lay his case before His Majesty's ministers. Parr certifies to the truth of the memorial, but must obey orders. 481

Certificate by the Chief Justice, law officers and advocates, of Wood's fidelity and ability. 485

Memorial (undated) by Wood to Dundas to be reinstated in his office. 489

Wood to King dated -— February, 1793, on the same subject. 493

March 5, London. Sabatier to King. Asks for an interview in relation to the memorial of Hutchinson of Halifax and encloses letter from Wickham on the subject. A. & W. I. vol. 598.

Enclosed. Wickham to Sabatier, 19th November, 1799.

March 31. Strange to Nepean. Encloses information required from Pemberton. Col. Cor. N. S. vol. 32, p. 157;

Enclosed. Statement by Pemberton that in lieu of fees to the Chief Justice of Nova Scotia, an allowance of £200 a year was agreed to be paid. 158

April 1, Whitehall. King to Wentworth. Sends estimate for 1800. Col. Off. N. S. vol. 2, p. 351

April 4, Halifax. Beckwith to Newark. Repeats his request for His Lordship's influence to obtain for him the office of prothonotary and states the circumstances leading to the application. Col. Cor. N. S. vol. 34, p. 473

April 6, Halifax. Wentworth to King. The General Assembly was occupied with contested elections since which time revenue and appropriations have been discussed. Differences of opinions between the Council and Assembly on the making of roads; the Council concurs in granting £5,000 or £6,000, but thinks it necessary to diminish the taxes, as being burdensome to commerce; the payment of the debt being effected and a fund secured for public buildings, the public faith requires that the taxes should not continue; both the Houses are attached to their plans. Is afraid that from the fomenting of dissensions in the Lower House, the session may not end happily. The appointment of Bernard as agent was unanimous; all other departments remain. He (Wentworth) h

1800.

discovered a large reserve of good mast timber; the advantage of this to Great Britain. The attention paid to his son at Washington by the president and others. A. & W. I. vol. 598

il 27, ifax. Wentworth to King. His illness. The supplies of brandy and tobacco purchased for the maroons through misconception can be sold without loss. Ross, the agent for the Sierra Leone company, protests against the maroons sailing before August on account of them arriving in the rainy season if they sailed earlier; he (Wentworth) believes the climate to be bad and that no preparations will be made for their reception; the French have ravaged the whole coast except that of Sierara Leone, which was too poor to tempt even French rapacity. Dissensions in the General Assembly; hopes the session may close amicably. Differences respecting the money bills sent to the Council have been settled by a conference of both Houses on his (Wentworth's) advice; encloses documents relative to the dispute. Bernard's appointment as agent. Wetheral, in the confidence of Prince Edward, goes to London; it is believed the Prince wishes for the command in Ireland and for a grant of the coal mines in Cape Breton.

Enclosed. Address of the Legislative Assembly to Wentworth, on the differences between the Assembly and Council, dated 23d April.

Answer, dated 26th April. The letter and enclosures in A. & W. I. vol. 598.

ril 30, John's, wfoundl'd. Skerrett to the Duke of Kent. Enclosed in the Duke of Kent's letter of the 24th May, which see.

y 10, John's. Same to the same (two letters). Enclosed in the Duke of Kent's letter of 24th May, which see.

y 12, John's. Same to the same. Enclosed in the Duke of Kent's letter of 24th of May, which see.

y 15, don. Thomas Wood to King. For the promised answer to the application of D. Wood, there being an opportunity for Halifax.

Col. Cor. N. S. vol. 54, p. 495

y 23, itehall. Secretary of State (Portland) to Wentworth. Has been informed by the Archbishop of Canterbury that licences of marriage have lately been addressed to Wright, minister of the German church, which is not a separate parish. Licences are only to be addressed to the rector, vicar, or curate of the parish. Col. Off. N. S. vol. 2. p, 352

y 24, ifax. Duke of Kent to Dundas. Has received accounts from Skerrett of disaffection amongst the troops in Newfoundland and encloses reports. Has sent the 66th regiment, about 330 strong, to his assistance.

Col. Cor. N. S. vol. 31, p. 189

Enclosed. (A.) Skerrett to Duke of Kent. Respecting the mutiny in Newfoundland. 193

(B.) Same to the same, 10th May. The conspiracy seems to have been under the direction of some "United" men, aided by the wretch James Murphy. 195

(C.) Same to the same, 10th May. The "United" men have been destroying the houses of the well affected at Placentia; a strong Roman Catholic faction has been the cause of all the mischief. 201

(D.) Same to the same. It is reported that there are upwards of 300 "United" men in the garrison, whose views are the same as those of the conspirators. 203

(E.) Duke of Kent to Dundas, 8th December (extract). For letter see at its date.

y 24, ifax. Wentworth to Secretary of State (Portland). Transmits proceedings of Legislative Council, completed to 1799, and journal of Assembly.

Col. Cor. N. S. vol. 33, p. 174

1800.

Enclosed. Journal and proceedings of Legislative Council from 7th June to 31st July, 1799. Col. Cor. N. S. vol. 33, p. 192

Journal of Assembly, from 7th June to 24th July, 1799. 230

May 27, Halifax. Wentworth to King. Admiralty reports received, which have been of great use at the trial of two vessels seized by the "Cleopatra." The French-Egyptian correspondence shows the unprincipled views and measures of France. Arrival of Major General Despard and Judge Advocate on the way to Cape Breton. Determination of Prince Edward to return to London, with or without leave. Mutiny in the Newfoundland regiment suppressed; how the men should be disposed of. A. & W. I. vol. 598

May 27, London. Audit Office to Secretary of State (Portland). Call attention to the neglect by Wentworth to transmit accounts of the receipts and expenditures in Nova Scotia. A. & W. I. vol. 598

June 10, Halifax. Wentworth to Secretary of State (Portland). Has received orders for the maroons to go on board the "Asia" for Sierra Leone. The correspondence enclosed will show the state of readiness in which the maroons are to embark. Immediately after their departure, the estates purchased for their use shall be advertised for sale, and accounts completed; expects to sell the brandy and tobacco without loss. The "Earl of Moira" is to take Despard to Sydney; the further employment of that vessel on the coast. Col. Cor. N. S. vol. 34, p. 1

Enclosed. Wentworth to Sherriff. The maroons are ready to embark when the "Asia" is ready. 5

Answer to Sherriff that the "Asia" requires additional men before she can sail. 9

Account of provisions on board the "Asia" for the maroons. 13

June 11, Halifax. Wentworth to King. The "Earl of Moira" is sailing to-day for Cape Breton with Despard; he has no mandamus to act as President of the Council. A. & W. I. vol. 598

June 18, Whitehall. Secretary of State (Portland) to Wentworth. Is surprised to find after repeated orders, that the vouchers for the accounts have not been sent; he is to do so at once, under pain of His Majesty's high displeasure. No bills will in future be paid unless accompanied by proper vouchers. Col. Off. N. S. vol. 2, p. 353

June 21, Halifax. Wentworth to Secretary of State (Portland). The General Assembly met on the 20th of February, and closed on the 2nd of May; sends Acts and the journals of Council and Assembly. Gives reasons for the passing of the various Acts, and remarks on the proceedings as shown in the journals. Col. Cor. N. S. vol. 34 p. 21

Enclosed. Journal of Legislative Council. 61

Journal of Assembly. 173

"Observations upon an Establishment proposed to be made on the Isle "of Sable; for the relief of the distressed and the preservation of "property." 283

"Statement of Facts relating to the Isle of Sable." 297

June 22, Hinde Street. Spry to Secretary of State (Portland). The only way of making him a money compensation for the lands taken is by a vote of Parliament; asks His Grace to represent the case to Pitt officially. 499

July 19, Whitehall. Secretary of State (Portland) to Wentworth. With the exception of some unpleasant discussions between the Council and Assembly, has satisfaction at the proceedings of the legislature in 1798, 1799 and this year; cannot understand why the Council did not agree to the conference with the Assembly, which would have settled the points in dispute. Takes it for granted that the "Asia" sailed immediately after the date of his (Wentworth's) letter; is not satisfied with the conduct Shirreff, agent for the transports, in respect to the delay. Col. Cor. N.S. vol. 34

1800.

(Copy in Col. Off. N.S. vol. 2, p. 354.)

Report of the Health office. Col. Cor. N.S. vol. 34, p. 503

22, ifax.

23, ifax.

Wentworth to Secretary of State (Portland). Transmits loyal address on the escape of the King from the attempt on his life. (The attempt was that made by Hadfield, a discharged soldier, who fired at the King in Drury Lane Theatre, in May.) The "Earl of Moira," after landing Despard and family on Cape Breton, proceeded to the coast to protect the trade, fishery and revenue, defrauded by smugglers from the United States, two of whom were seized and are now on trial; other movements of the "Earl of Moira." The injurious effects of the clandestine trade on the merchants of the province. Some men obtained for the "Asia" and a detachment of invalids to serve as marines. The maroons are to begin to embark on the 28th, and it is hoped will sail on the 2nd of August. 311

Enclosed. Address of the Lieutenant Governor and Council to the King. 319

ust 1, ifax.

Memorial of Boadicea, widow of Arthur Goold, stating her husband's services and asking for part of his pension. A recommendation from Wentworth is attached. 505

ust 6, ifax.

Wentworth to Secretary of State (Portland). The maroons are embarked on board the "Asia," 551 persons, all in good health except three and some suffering from the infirmities of old age; sends list of the property carried with them. Since the "Asia" arrived in Quebec and they knew they were to sail in her; they have been careless of their tools and have clandestinely sold some, but they still have an abundant supply for three years. Sends copy of letter written to Gray, acting Governor, and to Ludlam, of the Council of Sierra Leone. If the wind permit, the ship is to sail to-morrow; shall at once proceed to dispose of the estates and place the amount in the Treasury, as directed, and close and settle the accounts. 323

Enclosed. Return of baggage belonging to the maroons. The names and property belonging to each are given. At the end are receipts, certificates of packers &c. 327

Wentworth to Gray, 5th August. Sends receipt for the stores for maroons. States that they believed the people of Jamaica were to maintain them in idleness and that in Sierra Leone they might obtain slaves, women and labourers by their own valour. 419

ust 6, ifax.

Same to King. The maroons embarked and ready to sail; their gratitude and apprehension for the future. Prince Edward is probably now in London; he says vehemently he will never return to Nova Scotia. The satisfactory manner in which Hartshorne & Tremain completed the flour contract last year; the unsatisfactory contract, this year with the additional cost of importing and the uncertainty of receiving the flour in proper time; the cost of the existing system for the supply of other stores. Sends information relative to the maroon war, obtained with difficulty after the embarkation of the maroons. A. & W. I. vol. 598

Enclosed. Newspaper, with account of the sailing of the Duke of Kent.

Deposition of Robert Fowler respecting the origin of the maroon war in Jamaica, made at Dartmouth, 4th August.

ust 29, ifax.

Wentworth to King. Fires in the wood near the town; precautions to prevent the explosion of 1,000 barrels of powder stored in an old dry wooden barn. Has removed to Bedford Basin to escape the smoke &c, A fishing village has been destroyed; York redoubt is surrounded by fire, but the powder there is stored in a good stone magazine. In spite of the drought and fires, chiefly on the coast from Cape Sable to Halifax, the crops generally promise to be good. The fisheries are restricted by

1800.

the high cost of wages and provisions; other branches have more than made this up, besides the value of the prizes brought in. Sends memorial from Tremain & Stout, lessees of the collieries; the increased cost by the change of system; how supplies of fuel are now obtained. Distress caused by the non-arrival of the estimate. The successful sale of the maroon estates. Offer by the maroons to supply slaves from Sierra Leone; mistake of the philanthropists in importing these ferocious slave hunters in the hope of putting an end to the slave trade; the grief of Thornton and Wilberforce when they discover their mistake. Remarks on the proper method of dealing with the maroons and the duty of Jamaica in their removal. A. & W. I. vol. 598

September 15, Halifax. Wentworth to King. Is going to Windsor in relation to the college and will afterwards make a tour of the province. Disputes relative to the issue of marriage licenses; his good understanding with the Bishop of Nova Scotia and his efforts in favour of the Church of England. Col. Murray still refuses to transfer the civil government of Cape Breton to Despard. A report has been received from the United States that the people are waxing warm about the interruption to their trade. A. & W. I. vol. 598

October 6, Abingdon Street. S. Bernard to the same. As agent for Nova Scotia he has been instructed to point out the inconvenience of the present boundary between that province and New Brunswick. Encloses a question which might be submitted to Carleton so as to obtain the opinion of New Brunswick on the subject. Col. Cor. N. S. vol. 34, p. 509

Enclosed. The question proposed. 511

October 17, Whitehall. Secretary of State (Portland) to Wentworth. The general tenour of the Acts passed last session conduces to the interest of the province. The discussion respecting the rights and privileges of the Assembly may have arisen from the present constitution; hopes they are now so well defined as not to leave room for differences. His relief at the sailing of the maroons; the enormous expense attending them, that and the incorrectness of the accounts are matters of serious import. The King's satisfaction at the loyal address on his escape. The proposal respecting Sable Island requires mature consideration; the first step is to have it surveyed and a place looked out for a lighthouse &c.; desires to have further information. 427

(Copy in Col. Off. N. S. vol. 2, p. 357, where the day of the month is supplied.)

November 8, Halifax. Wentworth to King. Has returned from his tour; the prevalence of small-pox. Arrival of the "Mary" in 18 days. Murray still refuses to give up the civil government; he and Despard have both named Councils. The improved state of the college at Windsor; improvement and prosperity throughout the province. Recommends the establishment of six new missions of the Church of England to encourage a spirit of loyalty. French interests prevailing in the political affairs of the United States. He (Wentworth) disapproves of the appointment to the Council of a commissary, although he has a great regard for Butler. A. & W. I. vol. 598

November 10, St. John, N.B. Leonard to the same. Was gratified to learn that the sum of £500 was to be allowed for a vessel; had hired one accordingly and proceeded to check the illegal traffic of the Americans. Will have a small vessel contracted for on his return and in the meantime has drawn for £400 in part of the first year's allowance. Col. Cor. N. S. vol. 34, p. 513

Enclosed. Report by Leonard of his proceedings as superintendent of trade and fishery. 517

Report by his son as deputy. 525

November —. Memorial of Leonard that his son may succeed him and that he himself be appointed a consul in the United States. A. & W. I. vol

1800.
December 13, Halifax. Mary, widow of Richard Bulkeley, to King. Her destitute condition, having no resource but in the benevolence of her Sovereign. With this letter will be handed a memorial to Portland.
Col. Cor. N. S. vol. 34, p. 533

Enclosed. Memorial. 537

December 25, Halifax. Wentworth to King. Death of Bulkeley; recommends Andrew Belcher and William Forsyth to succeed to the Council, adding Charles Mary Wentworth to make up the three required. Brenton appointed to succeed Bulkeley in the Vice-Admiralty Court. Recommends George Thesiger to succeed Henry Newton as Collector of Customs, in event of Newton's death or retirement; recommends, should the appointment take place, that £150 should be paid to the widow and £50 to the eldest daughter till married, to be paid from the income of the office. Prospects of the election in the United States. The ravages of small-pox in the province increased by the reluctance to submit to inoculation. A subscription to the amount of 300 guineas has relieved the urgent distress. The winter is mild and the markets plentiful.
A. & W. I. vol. 598

December 31, Halifax. Naval officer's return of vessels entered and cleared at Halifax.
Col. Cor. N. S. vol. 35, pp. 1, 3

No date. Rough memorandum of Parr's allowances and Wentworth's present salary. Col. Cor. N. S. vol. 32, p. 84

Rough notes respecting Nova Scotia, Newfoundland, the fisheries, &c., &c. 155

Memorial of Richard John Uniacke to Secretary of State (Portland) for compensation for his services. Col. Cor. N. S. vol. 34, p. 437

Enclosed. Memorial to Governor Parr, stating his services in 1783, acting instead of the Attorney General, Gibbons, in suits for the escheating of lands for the purpose of settling the loyalists. The memorial is also undated, but a certificate from Parr that the services were rendered is dated 30th December, 1790. 439

Wentworth to Treasury, 7th December, 1792. Uniacke performed the services stated in his memorial to the Treasury, was promised the usual fees and is entitled to be paid. 441.

The date of the memorial to Portland as being 1800, is only conjectural, Portland being Secretary of State from 1794 to 1801.

1801.
February 7, Kensington Palace. Duke of Kent to King. In consequence of the death of Bulkeley, recommends Belcher to succeed him in the Council. A. & W. I. vol. 598

February 16, Bath. Butler to the same. Applies to be appointed to the Council in room of Bulkeley, deceased. A. & W. I. vol. 598

March 2, Whitehall. Secretary of State (Portland) to Wentworth. Sends copy of letter from the Audit Office complaining of his neglect to send the annual accounts and vouchers and copy of one which his (Wentworth's) conduct compelled him to write to the Treasury, desiring them to withold his salary till the accounts are furnished. In event of non-compliance he shall feel compelled to recommend his (Wentworth's) recall.
Col. Off. N. S. vol. 2, p. 360

March 5, London. Isted to King. Transmits letters forwarded by Despard and asks what answers he is to give.

Enclosed. Two letters from the Duke of Kent, dated 15th February, one to Portland relative to Murray's conduct, the other to Murray, forbidding him to interfere with the civil government.

Letter and enclosures in A. & W. I. vol. 598.

March 12, London. Goudge to King. Desires to know whether two bills left at the Treasury are likely to be paid. A. & W. I. vol. 598

1801.

April 9, Halifax. Wentworth to King. Is sending dispatch by Brymer one of the Council. The instruction to encourage the growth of hemp is to be considered on the 15th, by the Council and others; the favourable quality of the intervale land for this crop. Iron of the best quality is in the province; its production would be greatly encouraged if ordered into the government works at the price for which it is imported. There is an abundant supply of timber in the province for masts, yards and bowsprits. Relief afforded to the sufferers from small pox: state of the province, &c. A. & W. I. vol. 598

April 24, London. W. Smith to King. Asks for return of papers; he would not take notice of a slanderer, but when he (King) declares he cannot place confidence in him (Smith), asks for the charges against him that he may defend himself. A. & W. I. vol. 598

April 25, Halifax. Wentworth to Secretary of State (Portland). Instructions for the detention of Russian, Swedish and Danish vessels and various documents as to style and titles, &c. [consequent on the union with Ireland] have been recorded and published. The steps he has taken to promote the culture of hemp: the climate and immense quantities of the soil are suitable; skilled persons for rotting and dressing, and good seed are wanted. Has had the accounts for various services audited; as soon as the sales of land can be completed, all the accounts shall be closed and transmitted. States the case of Gad Saunders, a negro, convicted of murder; recommends him for pardon. Col. Cor. N. S. vol. 35, p. 5

Enclosed. Report, 2nd February, of Blowers on the case of Saunders. 13

Letter from Blowers, of same date, advising that the sentence be suspended. 17

April 25, Halifax. Wentworth to Secretary of State (Portland). Is sending accounts and vouchers for the expenses connected with the settlement and subsistence of the maroons. 21

April 26, Halifax. Same to King. A bank has been projected in Halifax and the capital raised. Shall have an act of incorporation passed, but with a suspending clause. Application to be made for five or six missionaries; the good effect of such an increase. The February packet spoken and supplied with provisions. Return of the "Cleopatra" and "Andromache": unsuccessful attempt to cut out a guarda costa at Cuba, but several prizes were taken. Private news. A. & W. I. vol. 598

May 30, Halifax. Same to Secretary of State (Portland). Reports the state of the Council; had recommended Andrew Belcher, William Forsyth and Charles Mary Wentworth for the vacancies; now adds the name of Lawrence Hartshorne. Col. Cor. N. S. vol. 35, p. 25

May 30, Halifax. Same to the same. His sorrow that the delay in transmitting vouchers should have been thought to arise from neglect: many of the accounts were transmitted to the different offices. A complete statement shall be sent by Reynett, paymaster of the 7th regiment, who promises to deliver it. The delays were unavoidable and he asks that the suspension of his salary may be removed. 29

June 6, Whitehall. Secretary of State (Portland) to Wentworth. Is happy to find there is so favourable a prospect for the cultivation of hemp. Pardon issued for Gad Saunders, a negro convicted of murder. Col. Off. N. S. vol. 2, p. 362

June 7, Kensington Palace. Gordon to King. Sends extract from letter from Despard to Bowyer, respecting Murray.

Enclosed. Extract.

Letter and extract in A. & W. I. vol. 598.

June 20, Halifax. Wentworth to Secretary of State (Portland). Sends copies of his speech, addresses, &c., at the meeting of the General Assembly. The good disposition of both Houses; difficulty of obtaining a quorum

1801.

Council, owing to the illness of members; was obliged to fill up vacancies. Two privateers on the coast, suspected to be in search of two mast ships; the "Earl of Moira" sent for intelligence and to take the mast ships in charge. Col. Cor. N. S. vol. 35, p. 33

(The enclosures, speech, &c., 37, 41, 45, are extracts from the journals).

ly 3, lifax. Wentworth to Secretary of State (Portland). Is sending accounts by Bingham, Reynett having been prevented from going; there has been no avoidable delay. A large ship from Boston, loaded with flour, wrecked on Sable Island; relief sent; sends copies of instructions to Coleman, his report, &c.; he is fully persuaded that a light-house of wood can be erected with safety on Sable Island, the same as those on Nantucket; shall send description and estimate of cost. The Assembly has voted £600 to maintain three families on the island to give assistance to shipwrecked people. Shall get two cannon, one to be placed at each end of the island to be used as signals. Report from the "Earl of Moira" of her timely arrival at Annapolis, to repress the misconduct of American fishermen who carry on an illicit trade, which should be suppressed conformably to the treaties between Great Britain and the United States. Col. Cor. N. S. vol. 35, p. 49

Enclosed. List of accounts to be delivered to the Audit Office. 57

Instructions to Seth Coleman to proceed to the relief of the shipwrecked persons on Sable Island. 61

Coleman's report. 65

Plan of Sable Island. 69

Address of the Assembly on the state of Sable Island and proposing that three families should be settled there for the preservation of life and property. 71

Report of the master of the "Earl of Moira." 75

Petition of the inhabitants of the county of Annapolis, complaining of the conduct of American fishermen and asking for relief. 83

ly 4, lifax. Wentworth to Secretary of State (Portland). Clothing and accoutrements wanted for the regiment of Nova Scotia. 87

ly 8, lifax. Same to King. Account sent; asks that the suspension of the payment of his salary may be removed. The bill for the incorporation of the bank rejected by the Assembly, which has also resolved to spend £20,000 on roads, bridges, markets, &c.; this resolution not yet concurred in by the Council. The estimate for the year not yet received. If a Court of Admiralty is constituted for Nova Scotia, asks that his son be appointed registrar. Arrival of the June packet. Leave of absence has been granted to Belcher, lately appointed to the Council, and to Stewart, Solicitor General. A. & W. I. vol. 598

ly 18, ndon. Croke to the same. Has reason to believe he will be appointed judge of the Vice-Admiralty Court at Halifax; asks that he be appointed to a seat in the Council. A. & W. I. vol. 598

ly 8, nsington lace. Duke of Kent to the same. Sends an extract from Despard's letter, which will show Murray's conduct to have been worse than believed. Extract follows. A. & W. I. vol. 598

ly 27, lifax. Wentworth to Secretary of State (Portland). Close of the session of the legislature; the harmony that prevailed; liberal grants made for roads, bridges and other accommodation. A committee appointed to prepare buildings for Sable Island; preparations also making for means of communication, for provisions, &c.; hopes to have the establishment completed by 10th October. Five hundred people who were prepared to emigrate from Scotland to the United States have resolved to come to Nova Scotia; 120 are arrived; many are employed and others settled on lands in convenient situations. To open roads, &c., the Assembly has voted £1,000 currency. St. George's chapel opened for public worship.

1801.

Agrees with the Bishop of Nova Scotia as to the importance of having churches of the Church of England throughout the province to guard against mendicant migratory new-light teachers, who are badly disposed to the duty of loyalty; dwells at length on the mischief these people cause and how that can be averted. Col. Cor. N. S. vol. 35, p. 91

July 28, Whitehall. Secretary of State (Portland) to Wentworth. His explanation received of the cause of the delay in the receipt of vouchers. Shall do what he can to relieve him from his disagreeable situation, caused by the suspension of his salaries. Approves of the appointment to the Council of Andrew Belcher, William Forsyth and Charles Mary Wentworth. Col. Off. N. S. vol. 2, p. 363

August 22, Admiralty. Nepean to King. The Admiralty request that orders may be sent to Halifax to admit Vice-Admiralty prisoners to the common gaols till a proper gaol can be provided. Col. Cor. N. S. vol. 35, p. 211

August 26, Halifax. Wentworth to Secretary of State (Portland). Has received order to suspend the embargo on Swedish and Russian vessels. People and materials for Sable Island are in a forward state of preparation, but transport delayed for want of vessels; the "Earl of Moira" is in pursuit of three French privateers, which have captured three or four vessels; as soon as the privateers are captured or driven off, the "Earl of Moira" shall be employed to assist the settlement. Only one house and part of another, sufficient for shelter, can be built with the £600 granted. The first will be furnished with provisions, boats, &c., under the conduct of Morris, a man of experience in nautical affairs. Sends copy of the Act for the preservation of persons and property shipwrecked on the Island. A grant has been made for the erection of a light house on the Gut of Annapolis; the inhabitants have subscribed an additional sum. Report on the culture of hemp; the want of good seed; asks that two or three families, conversant with cleaning hemp, may be procured. Reports the perfect state of good order, loyalty, peace and prosperity in the province. Death of Deschamps on the 13th current; has summoned Hartshorne to the Council, and George Henry Monk to succeed on the Bench. Death this morning of Thomas Cochrane; recommends Michael Wallace, Richard George Uniacke and Charles Hill as eligible to succeed him in the Council. 107

Enclosed. Extract from the appropriation Act respecting the growth of hemp. 117

September 3, Downing Street. Secretary of State (Hobart) to Wentworth. His satisfaction with the harmony in the General Assembly. The grants for roads, &c., cannot but conduce to the comfort and advantage of the inhabitants. The settlement of three families on Sable Island for the preservation of life is a desirable measure, and the grant by the Assembly of £600 should enable him to carry the measure into effect. The liberal policy of relief to persons desiring to become settlers should be of advantage to the province. His satisfaction at the opening of St. George's Chapel; his (Wentworth's) attention should be paid, in concert with the Bishop, to encourage the constant performance of public worship according to the rites of the Church of England. Shall transmit to the Treasury the representation respecting clothing. The Admiralty complain that there is no accommodation for Vice Admiralty prisoners; they are to be admitted to the common gaol. 99

(Copy in Col. Off. N. S. vol. 1, new series, p. 1.)

September 7, Weymouth. Order-in-Council appointing Andrew Belcher, William Forsyth and Charles Mary Wentworth to the Council of Nova Scotia. Col. Cor. N. S. vol. 35, p. 215

September 18, Windsor. Wentworth to Secretary of State (Portland). At the request of the Governors of King's College, he prays for a charter; the useful the College. The sum of £1,000, part of the £1,500 granted, h-

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well applied; the other £500 shall be applied to finish the building, so far as the amount will enable that to be done.
Col. Cor. N. S. vol. 35, p. 123

Enclosed. Memorial from the Governors of King's College. 127

September 21, Treasury. Addington to Sullivan. Transmits for opinion voucher attached to a bill for £13 10s. 7¼d, drawn on the Treasury for medicines, without advice. 219

September 26, Halifax. Wentworth to Secretary of State (Hobart). Has been informed that the Department of the Colonies has been placed in His Lordship's hands. Shall transmit the Acts and journals so soon as they can be prepared. Prosperous state of the province and complete change of the feelings of the people as to the future; liberal grants have been made for various objects (enumerated); commerce has recovered activity, wealth is increasing, and the fishery is revived. Encloses address praying that Halifax may be divided into three counties also that the counties of Annapolis and Shelburne be each divided into two counties. The materials and men for Sable Island will be ready to sail within a week. The French privateers have been driven off, and fled from the ports in Massachusetts to the West Indies with two prizes. 131

Enclosed. Memorial from the Legislative Assembly for the division of counties. 139

September 29, Soho Square. Knox to Cumberland. Asks him to direct payment to Leonard of £600, granted Parliament for a vessel, for which Leonard has drawn. 223

October 1, Treasury. Addington to Sullivan. Neither Leonard nor his deputies should have power, as superintendent of fisheries, to seize vessels; in revenue matters he must be subordinate to the Collector and Comptroller of Customs. The Treasury desire that Leonard be directed to send a list of his deputies, that the commissioners of Customs may grant commissions to such of them as may be necessary for the purpose of their appointment. 227

October 9, Tunbridge Wells. Cumberland to Knox (?) The bill drawn by Leonard for a vessel can only be paid by special order. 231

Enclosed. Noble to Cumberland, 1st October. The bill drawn by Leonard cannot be passed at the Audit Office until an account is presented of the disposal of the money, attested by the Governor. 235

October 13, Soho Square. Knox to Sullivan. The agent for Nova Scotia does not consider himself authorized to pay Leonard's bill for £600, for a vessel. Encloses extract from King's letter authorizing Leonard to draw. He (Knox) having already paid £400, asks that an order be given for payment of that amount, reserving the remaining £200, till vouchers be sent. 239

Enclosed. Extract from King's letter to Leonard, dated 6th February. 243

October 13, Downing Street. Secretary of State (Hobart) to Wentworth. The King's satisfaction at the favourable report of the state of the province. Approval of the steps taken to encourage the culture of hemp. Shall communicate the decision respecting vacancies. 121

(Copy in Col. Off. N.S. vol. 1. (new series), p. 5.)

October 13, Downing Street. Secretary of State (Hobart) to Wentworth. Attention has frequently been called to the great expense incurred for the defence of the colonies. Peace being ratified, he may without loss of time effect every possible reduction. The officer in command of the navy can afford protection to the province, so that the hire of the armed vessel is to be immediately discontinued. Col. Off. N. S. vol. 1. (new series), p. 8

October 18, London. Cumberland to Sullivan. Knox's reasoning and the extract from King's letter, will justify the issue of an order for payment of the amount drawn on Knox, but without such an order he could not pass Knox's receipt as a voucher at the Audit Office. Col. Cor. N. S. vol. 35, p. 247

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October 20, London. Comptroller of the Army Accounts to the Treasury (extract). Sends list of bills drawn by Wentworth for clothing.
Col. Cor. N. S. vol. 35, p. 251

October 26, Treasury. Vansittart to Sullivan. Transmits memorial from Knox for payment of Leonards's bill for £600. 255

October 27, Halifax. Wentworth to Secretary of State (Hobart). Sends reports of the progress of the proposed establishment on Sable Island. There are 14 persons left on the island amply supplied with provisions; the houses, it is supposed, will be comfortably habitable by the first of December. Everything was safely landed but the rockets, which shall be sent next spring: they are intended to accompany the firing of cannon as signals. 147

Enclosed. Instructions to James Morris, appointed to superintend the establishment on Sable Island. 151

Report, 10th October, by the commissioners, of the shipment of stores for Sable Island, on board of the "Earl of Moira." The duties of Morris, superintendent, and of his people to take measures for warning vessels off; Morris has been directed to obey Wentworth's instructions. The "Earl of Moira" and the schooner sailed on the 6th instant. 163

Report 17th October, that the "Earl of Moira" has returned after landing the men, materials, stores, &c. 167

Report, 13th October, Sable Island, by James Morris, of the safe arrival and landing of the party and stores on Sable Island, all well. The directions and signals he has adopted for the guidance of ship wrecked crews to a place of relief. 171

Sable Island, 12th October. Request by Patrick King, to be allowed to remain on Sable Island; engages to serve under Morris. 175

Schedule of live stock, provisions, &c., for Sable Island. 179

18th October. Report by Capt. Fawson of the "Earl of Moira" of his voyage to Sable Island; recommends that two light houses be built, one on each end of the island; that guns be provided for signals; small houses built and boats kept at the sides of the pond; the island is well fitted for grazing cattle. There is a quantity of wild fruits; there should be no difficulty in growing potatoes and other roots; reports the number of wild horses; lobster, shell and other fish are plentiful in the pond, which is frequented by blue winged ducks and other wild fowl in abundance. States the arrangement of signals, &c. The best time to visit the island is between June and September. 183

(Duplicate of this is at p. 195.)

October 29, Bath. Knox to Sullivan. The application to the Treasury was presented before his last to him (Sullivan), but he did not withdraw it, as he wished to get an official explanation that might serve as a guide for the future drawing of bills. 259

October 30, Treasury. Vansittart to the same. In reference to the order to remove the suspension of the payment of Wentworth's salary, transmits extract from letter from the Audit Office and desires to know whether, after consideration, Lord Hobart is still of the same opinion respecting the suspension. 263

Enclosed. Audit Office (extract). The cause of suspension of the payment of Wentworth's salary was his neglect to send vouchers; as these have not yet been received, they cannot recommend the removal of the suspension. 267

October 31, Abingdon Street. Scrope Bernard to the Archbishop of Canterbury. Sends copies of proposed charter and warrant for the same for the college of Nova Scotia; had hoped that the endowment might be £1,500 per annum. 271

Enclosed Objects solicited by the province of Nova Scotia, dated 4 July. (1). Charter and endowment for the new college. (2). An increased number of missionaries. (3). A revival of the resolution

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House of Commons of November, 1775, to permit the importation of wines, oranges, lemons, currants and raisins direct from the place of growth. (4). To obtain a revival of the bounty on the importation of timber from British America. (5). Port regulations to prevent the interference of the United States, with trade between British America and the East and West Indies. (6). To obtain a revision of the boundary between Nova Scotia and New Brunswick, which at present cuts through the township of Cumberland. (7). The appointment of an engineer or engineers to report (*a*). On the working of mines; (*b*). The opening a communication by water from Halifax through Minas Basin to the Bay of Fundy; (*c*). The formation of an interior road to promote settlement. Col. Cor. N. S., vol. 35, p. 275

November 4, Downing Street. Secretary of State (Hobart) to Wentworth. Shall refer to the King the addresses for the division of counties and for a charter to King's College. 143

(Copy is in Col Off. N. S. vol, 1 (new series) p. 6).

The charter of King's College was granted on 12th May 1802, and is among the patent rolls, 42 George III, part 9, No. 7.

November 13, Garlick Hill. Brook Watson & Co. to Chapman. The bill for the salary of the Bishop's commissary in Nova Scotia has been refused payment. Suggest that it was omitted in the estimate by a similar mistake to that which happened in the case of the Bishop's salary which was, however, ordered to be paid. Col. Cor. N. S. vol. 35, p. 279

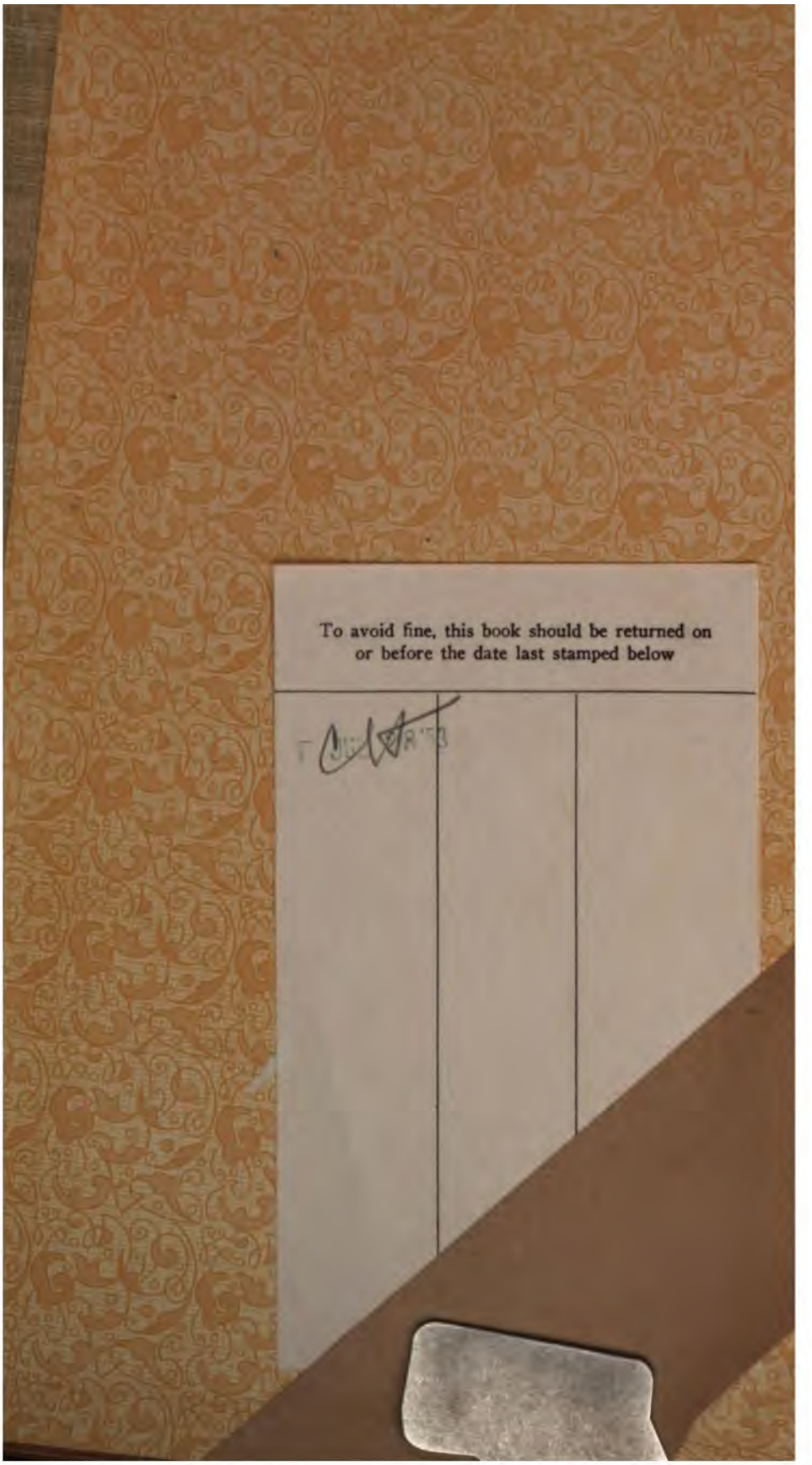
November 21, Treasury. Addington to Sullivan. Transmitts bill drawn by Wentworth for the "Earl of Moira," to be informed whether it should be paid. 283

November 24, London. John Butler Butler to Sullivan. Represents the cause of his not obtaining his seat in the Council and the justice of his claim to the present vacancy. 287

December 3, Downing Street. Sullivan to Leonard. Transmits copy of letter from the Treasury; in the performance of his duties he is to act in comformity to the opinion of the Commissioners of Customs. Col. Off. N. S. vol. 1. (new series) p. 7

December 12, Treasury. Addington to Sullivan. The Treasury has directed payment of the six months salary to the commissary of the Bishop of Nova Scotia. Col. Cor. N. S. vol. 35, p. 291

No date. Wentworth to Secretary of State (Hobart). His happiness at the approbation of his proceedings. Has made public the preliminaries of peace, 1st October, ratified on the 10th following, between His Majesty and the Republic of France; trusts that peace will be attended with improvements in the province. Has sent orders to the sheriffs to admit into the county gaols prisoners committed by the Vice-Admiralty courts. 203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